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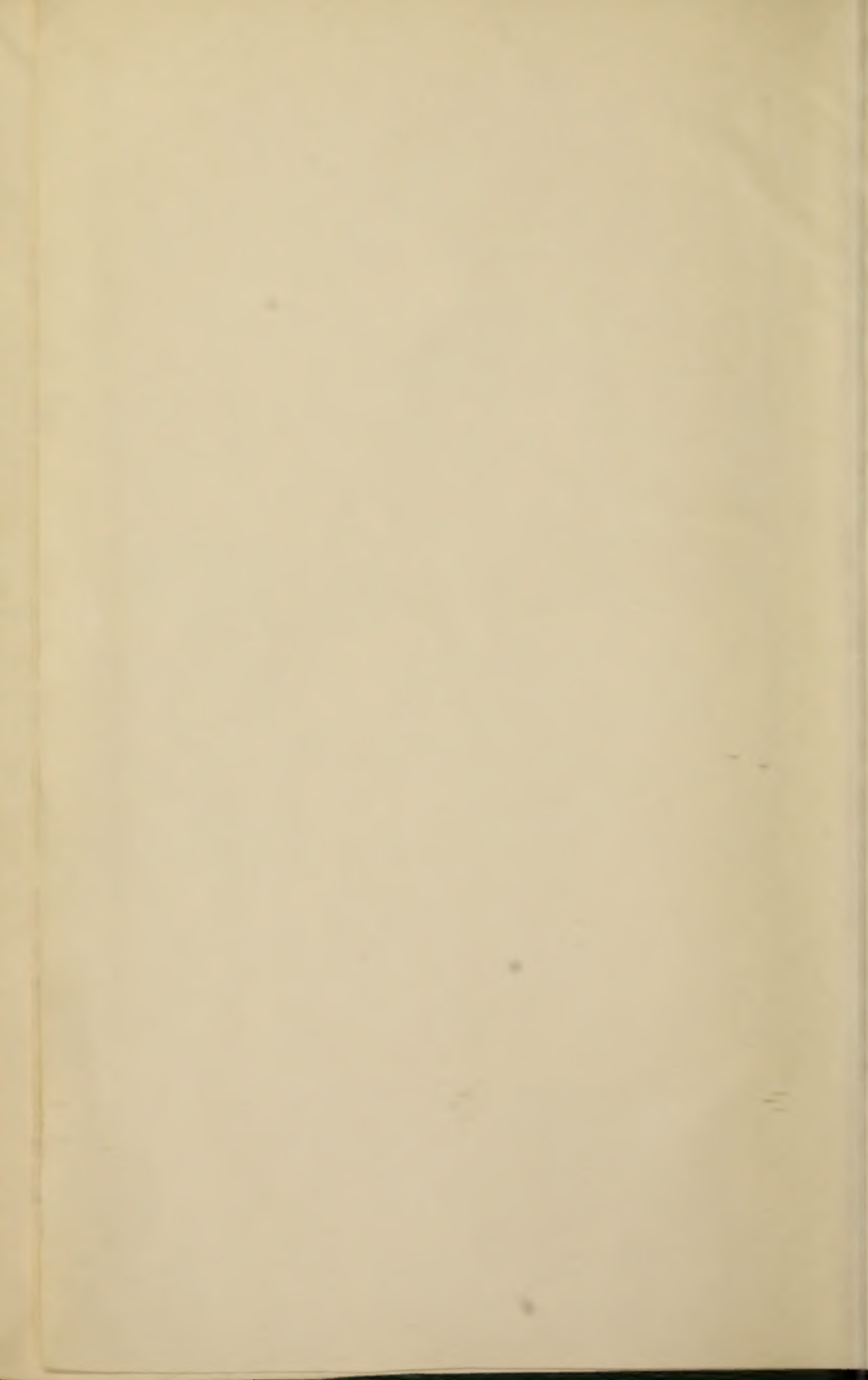
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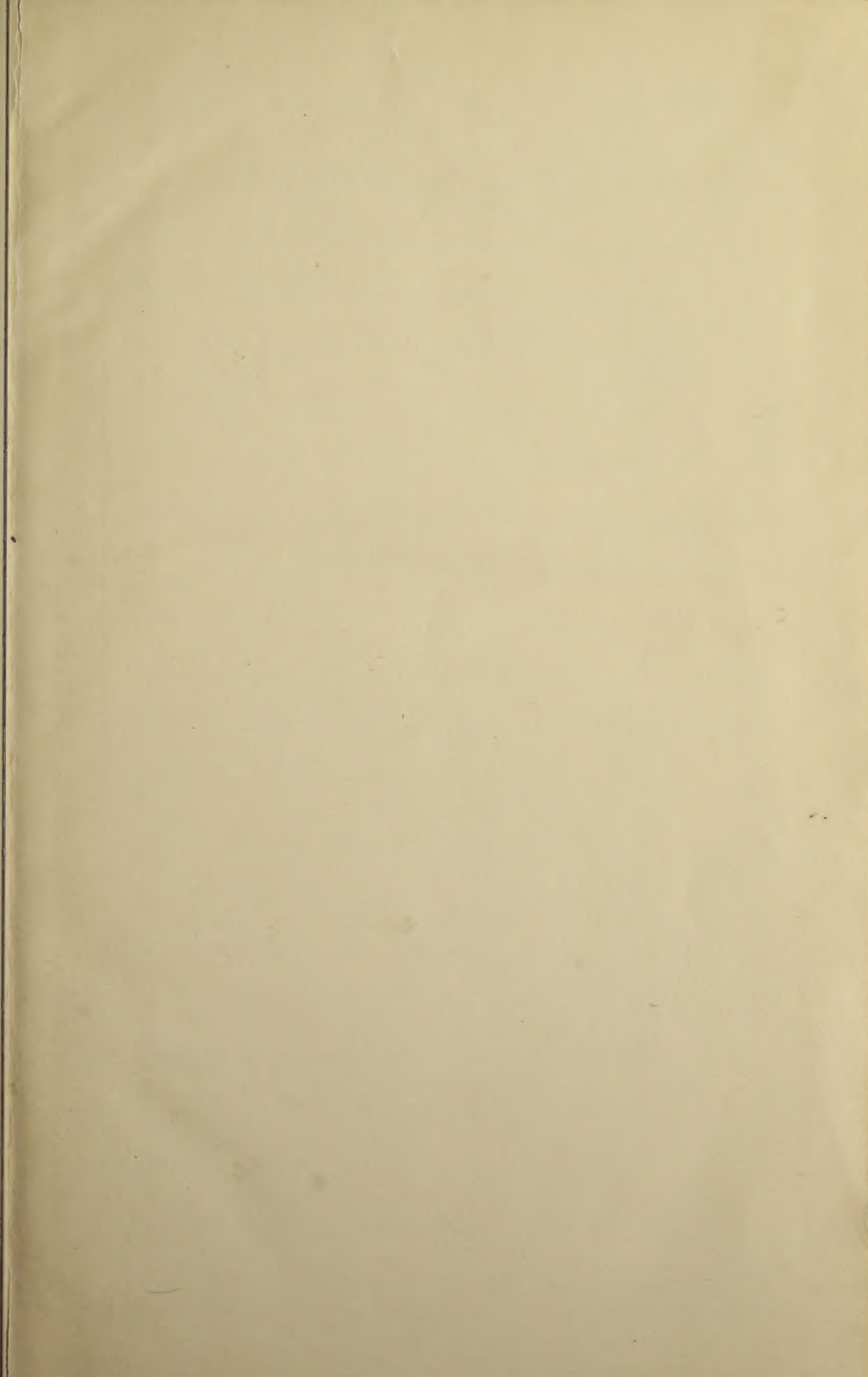
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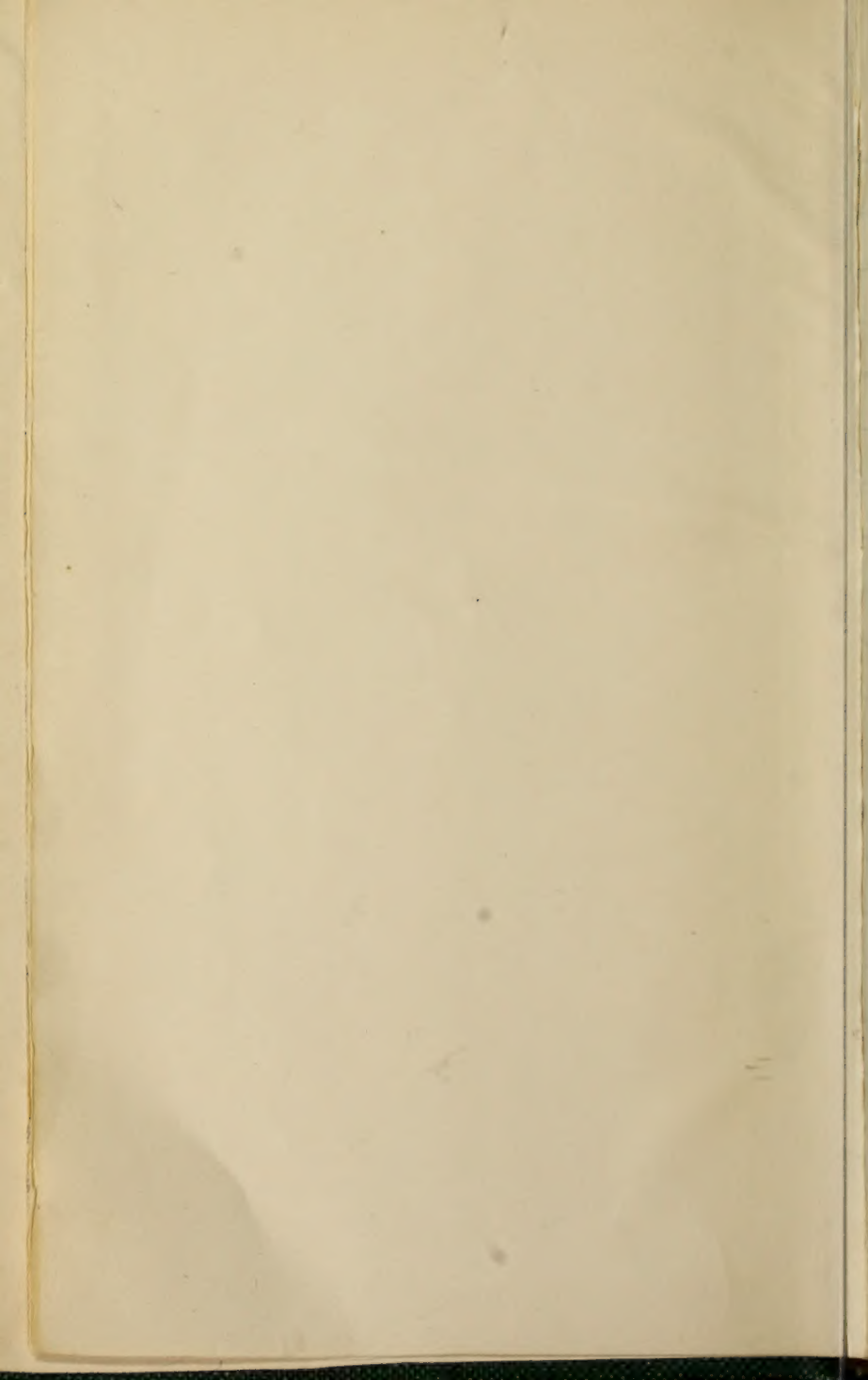
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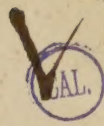
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INV. 1892

OF

CITY LITIGATION.

BY

S. W. HOLLADAY,

City and County Attorney.

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STATE LIBRARY
CALIFORNIA

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SCHEDULE II.

Comprises a statement of all the cases still pending, (except City Slip suits,) with the subject matter and present condition.

SCHEDULE III.

Comprises a list of final judgments.

SCHEDULE IV.

Comprises a complete statement of the City Slip litigation, with a brief synopsis of the history and position of each case.



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597,		<i>v. V. Leroy, et al.</i> ; see statem't cases.
598,	do	<i>v. E. E. Dunbar</i> ; same as No. 597.
764,	do	<i>v. W. S. Clark, et al.</i> ; see 1 Cal. p. 386.
770,	do	<i>v. E. C. March, et al.</i> ; same as No. 764.
910,	do	<i>v. A. Melhado, et al.</i> ; same as No. 764.
979,	do	<i>v. J. Holloway, et al.</i> ; same as No. 764.
1708,	do	<i>v. J. W. Bowman</i> ; papers missing.
2850,	do	<i>v. Hitchcock, et al.</i> ; same as No. 764.

No.		
2895,	City	<i>v. W. Devier</i> ; see statement of cases.
3397,	do	<i>v. Hiram Pearson</i> ; dismissed.
3530,	do	<i>v. J. C. Ward, et al.</i> ; see statem't cases.
3849,	do	<i>v. Thos. O. Larkin</i> ; " " "
4101,	do	<i>v. J. W. Bowman, et al.</i> ; " " "
4113,	do	<i>v. Lewis Teal</i> ; " " "
6077,	County	<i>v. S. B. Mills, et al.</i> ; judgm't satisfied.
6129,	do	<i>v. J. D. Musgrove</i> ; see list of judgm'ts.
6923,	City	<i>v. Tallant, et al.</i> ; see 10 Cal. p. 585.
6924,	do	<i>v. Wm. Hood</i> ; dismissed.
7140,	City and County	<i>v. Clay St. Wharf Co.</i> ; see state. cases.
7144,	do	<i>v. Jack'n St. Wh'f Co.</i> ; same as No. 7140.
7145,	do	<i>v. Wash'ton St. Wh'f Co.</i> " " "
7146,	do	<i>v. Vallejo St. Wh'f Co.</i> " " "
7242,	do	<i>v. E. Mickle, Auditor</i> ; see state. cases.
7318,	do	<i>v. James Ross, et al.</i> ; " " "
7323,	do	<i>v. Wm. Rabe</i> ; " " "
7494,	do	<i>v. H. O. Gough, et al.</i> ; same as No. 7323.
7705,	do	<i>v. F. M. Pixley, et al.</i> ; see state. cases.
7722,	do	<i>v. R. H. Sinton</i> ; trans. 12th Dis. Ct. 6968.
7738,	Board of Education	<i>v. C. H. Domett, et al.</i> ; see state. cases.
7762,	City and County	<i>v. J. M. Washburn, et al.</i> ; judg't for c't's sat.
7781,	do do do do	<i>v. Lawton, Adm'r, et al.</i> ; see state. cases.
7926,	Board of Education	<i>v. Michael O'Riley</i> ; " " "
7978,	City and County	<i>v. Wm. C. Talbot, et al.</i> ; " " "
7979,	do	<i>v. S. Benson</i> ; same as No. 7978.
7980,	do	<i>v. J. T. Pennell</i> , " " "
8368,	do	<i>v. C. C. Webb</i> ; see statement of cases.

TWELFTH DISTRICT COURT.

267,	City	<i>v. E. Heydenfeldt</i> ; see statem't of cases.
1547,	do	<i>v. C. H. Domett, et al.</i> " " "
1548,	do	<i>v. W. C. Walker, et al.</i> ; same as No. 1547.
1549,	do	<i>v. I. N. Thorne, et al.</i> ; " " "
1550,	do	<i>v. J. P. Treadwell</i> ; " " "
1551,	do	<i>v. J. Gordon, et al.</i> ; " " "
1552,	do	<i>v. Michael Riley</i> ; " " "
1646,	do	<i>v. R. Fooley, et al.</i> ; see state. of cases.
2925,	City and County	<i>v. G. W. Green, et al.</i> ; " " "
3941,	do do	<i>v. N. S. Pettit</i> ; " " "

No.	City and County	
3964,	City and County	<i>v. R. E. Woods, treas. ; discontinued.</i>
4005,	do do	<i>v. R. E. Woods, et al.; see state. cases.</i>
4006,	do do	<i>v. R. E. Woods, et al.; same as No. 4005.</i>
4186,	do do	<i>v. Cal. S. N. Co.; see 10 Cal. 504.</i>
4369,	do do	<i>v. Jno. Barmore ; see state. of cases.</i>
4439,	do do	<i>v. C. H. Gough, et al.; " " "</i>
5350,	do do	<i>v. Gas Co. & Pixley ; " " "</i>
5750,	do do	<i>v. Gas Co. et al.; " " "</i>
5988,	do do	<i>v. D. J. Tallant, et al.; " " "</i>
6070,	People ex rel. Burr	<i>v. Wm. A. Dana, et al.; " " "</i>
6841,	City and County	<i>v. Jno. Barmore, et al.; " " "</i>
6968,	do do	<i>v. R. H. Sinton ; " " "</i>
8060,	do do	<i>v. J. C. Beideman ; " " "</i>
8339,	do do	<i>v. Jon. Hunt ; " " "</i>

COUNTY COURT.

768,	County	<i>v. D. McGrath ; license suit.</i>
896,	do	<i>v. James Buillard ; " " "</i>
994,	do	<i>v. H. Lowe ; " " "</i>
1036,	do	<i>v. Dan'l Norcross ; " " "</i>
1038,	do	<i>v. John Conkley ; " " "</i>
1039,	do	<i>v. John Conkley ; " " "</i>
1067,	do	<i>v. Lewis Ford ; " " "</i>
1094,	do	<i>v. James Hickley ; " " "</i>
1231,	City and County	<i>v. Jones & Fairfowl; see state. of cases.</i>
1232,	do do	<i>v. O. B. Crary ; same as No. 1231.</i>
1241,	do do	<i>v. Jones & Fairfowl; " " "</i>
1280,	do do	<i>v. H. Austin ; " " "</i>
1380,	do do	<i>v. O. B. Crary ; " " "</i>
1381,	do do	<i>v. O. B. Crary ; " " "</i>
1667,	State and County	<i>v. S. W. Moore ; license suit.</i>
1882,	City and County	<i>v. Wm. Noyes ; " " "</i>
2317,	do do	<i>v. D. C. Porter ; judgment satisfied.</i>
2340,	do do	<i>v. H. Meyer ; license suit.</i>
2377,	do do	<i>v. S. Lichenstein ; " " "</i>
2430,	do do	<i>v. J. W. Sullivan ; judgment satisfied.</i>
2530,	do do	<i>v. B. Killilea ; dismissed.</i>
2668,	do do	<i>v. J. & M. Bergen ; license suit.</i>
2692,	do do	<i>v. M. Swift ; dismissed.</i>

SUPERIOR COURT.

No.	
17, Correas, et al.	v. City ; discontinued.
57, Aldrich, et al.	v. do see statement of cases.
65, Correas	v. do same as No. 57.
283, Aspinwall, et al.	v. do " " "
361, Kelly & Irwin	v. do judgment for defendant.
412, O'Donnell	v. do same as No. 57.
422, Melhado	v. do judgment satisfied.
465, Sanford	v. do " "
551, Winter, et al.	v. do " "
562, Williams & Co.	v. do same as No. 57.
563, Morrow	v. do judgm't for deft. satisf'd.
565, Palacias	v. do same as No. 57.
574, Weber	v. City, et al.; see 1 Cal. 455.
575, Sparks	v. City ; same as No. 574.
582, Bowie, et al.	v. do execution stayed.
586, Churchill	v. do same as No. 57.
659, Peter Smith	v. City, et al.; judgment satisf'd.
660, Peter Smith	v. do do " "
662, Peter Smith	v. City ; never tried.
663, Peter Smith	v. City and Cutts ; judgm't sat.
664, Peter Smith	v. City, et al.; never tried.
707, Ellis	v. City ; same as No. 574.
712, Sparks	v. City, et al.; same as No. 574.
716, Harms	v. City ; same as No. 574.
717, Fuller	v. do judgm't for deft.
718, Maillon	v. do same as No. 574.
727, Price, et al.	v. do judgment satisfied.
728, Meyer, et al.	v. do same as No. 574.
729, De Boom, et al.	v. do same as No. 574.
744, Clark, et al.	v. City et al ; see 1 Cal. 453.
760, De Boom	v. City ; see statem't of cases.
819, Dwinelle	v. do discontinued.
821, Wheeler	v. do see statem't of cases.
837, Benson	v. do judgment satisfied.
964, Belden	v. do " "
966, Laffan, Coit & Morse	v. Board of Sup.; see state. cases.
976, Brannan	v. City ; discontinued.
1004, Devier	v. Coporat'n S. F.; judgm't sat.
1089, Shattuck	v. City ; judgment satisfied.
1170, Mellvin	v. do see statement of cases.

No.

1211, Randall	<i>v.</i> City; judgment satisfied.
1303, Spear	<i>v.</i> do discontinued.
1427, Stuart	<i>v.</i> do judgment satisfied.
1463, Joseph Wood	<i>v.</i> do see 4 Cal. 190.
1518, People, ex rel., Thorne	<i>v.</i> Hays, et al.; see 4 Cal. 127.
2212, J. R. Dunglison	<i>v.</i> City; see statement of cases.
2383, H. H. Green	<i>v.</i> do judgment satisfied.
2513, Burgoyne	<i>v.</i> Board of Supervisors; see 5 Cal. 9.
2696, Fish	<i>v.</i> City; judgment satisfied.
2697, Robert Minturn	<i>v.</i> do " "
2712, Charles H. Hill	<i>v.</i> do see statem't of cases.
2832, Robert Greenhow	<i>v.</i> do discontinued.
2996, David L. Beck	<i>v.</i> do " "
3007, J. L. Wetmore	<i>v.</i> do dismissed.
3059, Hyam Joseph	<i>v.</i> do judgment satisfied.
3060, J. C. Palmer	<i>v.</i> do " "
3061, J. C. Palmer, et al.;	<i>v.</i> do " "
3076, Wm. Norris	<i>v.</i> City & O'Callaghan; see stat. cases.
3077, Henry Gerke	<i>v.</i> do do same as No. 3076.
3078, J. T. Doyle	<i>v.</i> do do " " "
3079, Andrew J. McCabe	<i>v.</i> do do judgm't satisfied.
3080, Mary E. H. Gwin	<i>v.</i> do do " "
3081, Malachi Fallon	<i>v.</i> do do " "
3086, H. H. Rothbar	<i>v.</i> do do " "
3087, Wm. Jerris	<i>v.</i> do do " "
3090, James Ellig	<i>v.</i> do do same as No. 3076.
3091, J. B. Dickinson, et al.	<i>v.</i> do do " " " "
3094, James Neall	<i>v.</i> do judgment satisfied.
3104, E. L. Sullivan	<i>v.</i> do " "
3220, E. B. Marsh	<i>v.</i> do dismissed.
3232, D. L. Beck	<i>v.</i> do discontinued.
3391, H. S. Dexter	<i>v.</i> do judgment satisfied.
3431, J. H. Ray	<i>v.</i> do see statement of cases.
3449, Felix Argenti	<i>v.</i> do judg't for defts., see list.
3452, Levi Parsons	<i>v.</i> do " " "
3453, Sam'l Moss, jr.	<i>v.</i> do dismissed.
3455, Felix Argenti	<i>v.</i> do see statem't of cases.
3551, Michael Gaffrey	<i>v.</i> do discontinued.
3691, Charles L. Potter	<i>v.</i> do see statem't of cases.
3844, T. W. Augrey, et al.	<i>v.</i> City, et al.; discontinued.
4274, Charles T. Botts	<i>v.</i> City; see statem't of cases.
4275, J. L. Folsom	<i>v.</i> do same as No. 4274.

No.	
4311, John May	<i>v.</i> City; non-suit.
4343, James Phelan	<i>v.</i> County; trans. 12 Dis. No. 8287.
4350, C. L. De Rochers	<i>v.</i> do see 12th Dist. No. 8287.
4351, Francis Mellus	<i>v.</i> City; same as No. 4274.
4359, Joseph Myrick, et al.	<i>v.</i> County; see 12th Dis. No. 8287.
4360, C. L. De Rochers	<i>v.</i> do " " " "
4361, Robert Allen	<i>v.</i> do " " " "
4398, J. G. Ward	<i>v.</i> do " " " "
4399, John Sime	<i>v.</i> do " " " "
4400, Philo H. Perry	<i>v.</i> do " " " "
4405, S. L. Mastick	<i>v.</i> do judgment satisfied.
4529, John Dunn	<i>v.</i> City; trans. 4th Dist. No. 8676.
4541, Alfred Pioche	<i>v.</i> County; see 12th Dis. No. 8287.
4599, Jacob Pine	<i>v.</i> do " " " "
4719, Lucas Turner & Co.	<i>v.</i> City; trans. 12th District.
4725, S. H. Wetherbee	<i>v.</i> do judgment satisfied.
4840, E. S. Woodford	<i>v.</i> do dismissed.
4841, H. O'Donnell	<i>v.</i> do judgment satisfied.
4849, James Haslett	<i>v.</i> do trans. 4th District.
4949, F. Desfarges	<i>v.</i> do see statement of slip suits.
4956, J. E. Leighton, exec. &c.	<i>v.</i> do " " " "
4959, John Satterlee	<i>v.</i> do dismissed.
5045, C. A. Eastman	<i>v.</i> do see list of judgments.
5092, H. O. Gough	<i>v.</i> do judgment satisfied.
5144, Wm. Walker	<i>v.</i> County; " "
5170, P. Gardner	<i>v.</i> City; " "
5174, H. W. Seal	<i>v.</i> do see list of judgments.
5179, H. N. Kerrison	<i>v.</i> do judgment satisfied.
5180, R. B. Monks	<i>v.</i> do " "
5181, J. W. McKenzie	<i>v.</i> do see list of judgments.
5182, G. L. Darlymple	<i>v.</i> do judgment satisfied.
5183, Edmund Keys	<i>v.</i> do " "
5184, S. S. Tucker	<i>v.</i> do " "
5185, Owen Fallon	<i>v.</i> do see list of judgments.
5186, Wm. B. Fairman	<i>v.</i> do plaintiff's interest assigned.
" John Rock,	} Intervenor; see list of judgment.
" William Burke,	
5187, J. McConville	<i>v.</i> City; plaintiff's interest assigned.
" John Rock,	} Intervenor; see list of judgments.
" Jas. M. Merrill,	
5188, Henry Darling	<i>v.</i> City; " "
5189, J. Turner	<i>v.</i> do " "

No.			
5190,	Thos. E. Finley	v. do	judgment satisfied.
5191,	F. C. Pomeroy	v. do	see list of judgments.
"	Francois Casse, intervenor;	" "	"
5192,	D. H. T. Morse	v. City;	judgment satisfied.
5193,	J. B. Wing	v. do	never tried.
5194,	J. Cameron	v. do	judgment satisfied.
5195,	Wm. N. Smith	v. do	" "
5201,	J. W. Lees	v. do	" "
5202,	Thomas Finerty	v. do	" "
5203,	William Charrington	v. do	" "
5204,	J. L. Durkee	v. do	" "
5205,	John Nugent	v. do	" "
5206,	G. Birdsell	v. do	" "
5207,	J. B. Larcombe	v. do	" "
5208,	C. C. Jameson	v. do	see list of judgments.
"	D. H. T. Morse, intervenor;	" "	"
5209,	J. J. Green	v. City;	judgment satisfied.
5210,	J. McDonald	v. do	" "
5211,	G. B. Herman	v. do	" "
5212,	William Bloomer	v. do	" "
5213,	S. C. Stevenson	v. do	" "
5214,	Sheldon Pomeroy	v. do	" "
"	Francois Casse, intervenor;		see list of judgment.
5215,	James Kearney	v. City;	judgment satisfied.
5216,	C. Holland	v. do	" "
5217,	W. W. Haney	v. do	" "
5218,	A. A. Slicer	v. do	" "
5221,	J. G. Chappell	v. do	" "
5222,	J. G. Baxter	v. do	" "
5223,	J. C. Wing	v. do	" "
"	N. Gray, intervenor;		see list of judgments.
5224,	Andrew McKenzie	v. City;	judgment satisfied.
5225,	H. A. Russell	v. do	" "
5226,	Wm. Dunbar	v. do	see list of judgments.
5230,	Thomas Inman	v. do	judgment satisfied.
5231,	L. T. Grant	v. do	see list of judgments.
"	D. H. T. Morse,	} Intervenor;	intervenor withdrawn.
"	T. A. Hayes,		see list of judgments.
"	John Eldridge,		" " "
5232,	P. McCormick	v. City;	plaintiff's interest assigned.
"	D. H. T. Morse,	} Intervenor;	intervenor withdrawn.
"	Robt. Alexander,		see list of judgments.

No.		
5233,	J. G. Baxter	v. City; discontinued.
5234,	B. D. Almy	v. do judgment satisfied.
5235,	William Petty	v. do see list of judgments.
"	Patrick Keating, intervenor;	" " "
5238,	G. C. Wardwell	v. City; judgment satisfied.
5239,	N. J. Morris	v. do " "
5244,	O. D. Sherman	v. do " "
5245,	J. W. McKenzie	v. do see list of judgments.
5249,	Charles Ridout	v. do " " "
"	John Rock, } Intervenor;	" " "
"	— Andrews, }	judgment satisfied.
5250,	J. V. Dennison	v. City; plaintiffs interest assigned.
"	G. A. Grant, } Intervenor;	see list of judgments.
"	John Rock, }	" " "
5251,	B. C. Donelan	v. City; judgment satisfied.
5257,	B. F. Hanford	v. do " "
5261,	J. H. Hesse	v. do " "
5262,	E. J. Saulsbury	v. do " "
5263,	John Connelly	v. do " "
5265,	John Lussy	v. do plaintiff's interest assigned.
"	John Rock, }	see list of judgments.
"	G. A. Grant, }	" " "
"	J. M. Merrill, }	judgment satisfied.
5266,	P. R. Robinson	v. City; plaintiff's interest assigned.
"	John Rock, }	see list of judgments.
"	G. A. Grant, }	judgment satisfied.
"	J. M. Merrill, }	" "
5269,	Joseph Perkins	v. County; see statement of cases.
5272,	I. C. Root	v. City; judgment satisfied.
"	J. M. Merrill, }	see list of judgments.
"	Wm. Burke, }	" " "
5277,	P. K. Rogers	v. City; plaintiff's interest assigned.
"	John Rock, }	see list of judgments.
"	J. L. M. Cheesborough, }	Intervenor; " " "
"	— Geanini, }	judgment satisfied.
5286,	John Rock	v. City; discontinued.
5297,	Charles Cavalho	v. do plaintiff's interest assigned.
"	Jas. M. Merrill, }	see list of judgments.
"	G. A. Grant, }	" " "
"	Julia Van Reed, }	judgment satisfied.
5375,	John H. Dall	v. City; dismissed.
5392,	A. G. Abell	v. do "

No.		
5467, Charles S. Catez	v. City ; dismissed.	
5531, Jonathan Hunt	v. do judgment satisfied.	
5556, A. H. Houston	v. do see statement of cases.	
5570, D. J. Tallant, et al.;	v. do dismissed	
5621, William Rabe	v. do judgm't sat.	
5630, E. L. Morgan	v. do " "	
5631, J. A. Vandervoort	v. do dismissed.	
5636, Michael Reese	v. do "	
5642, A. J. Saulman	v. do "	
5643, John Johnston	v. do "	
5663, Henry Toomy	v. do see statement of cases.	
5701, J. Hahn, et al.	v. do judgm't sat.	
5719, John Johnston	v. do see statement of cases.	
5722, L. Humphreys	v. do see statement of cases.	
5740, Lorenzo Sawyer	v. do judgm't sat.	
5741, Gustave Touchard	v. do discontinued	
5742, do do	v. do "	
5744, Rose O. N. Greenhow	v. do dismissed.	
5745, A. B. Miner	v. do trans. to 4th Dist. No. 6626.	
5747, Thomas Boyd	v. do see statement of cases.	
5749, E. J. Pringle	v. do " " "	
5750, San Francisco Gas Co.	v. do judgm't sat.	
5752, McGovren	v. do trans. to 4th Dist. No. 6623.	
5774, George K. Fitch, et al.	v. do see statement of cases.	
5795, N. P. Smith, et al.	v. City & County ; judgm't sat.	
5929, John Hill	v. do do " "	
5930, E. J. Saulsbury	v. do do " "	
5992, E. J. Hunter	v. City ; see statement of cases.	
6029, Clement Ferguson	v. City & County ; judgm't sat.	
6072, E. P. Buckley	v. do do " "	
6073, E. R. Theller	v. do do " "	
6170, Henry Zottman	v. do do trans. 4th Dist. 7244.	
6289, C. D. Davis	v. do do dismissed.	
6302, James Lang	v. do do trans. 4th Dist. 7243.	
6303, William Martin	v. do do dismissed.	

FOURTH DISTRICT COURT.

184, Earl & McIntosh	v. City Council, et al.; see state. of cases.
513, C. F. Schwerin	v. City ; same as No. 184.
539, Keesing Barmore	v. City Council, et al.; same as No. 184.

No.	
540, A. Expert	v. Mayor & Com. Coun.; same as No. 184.
541, C. V. Gillespie	v. Mayor & Com. Coun.; " " "
578, St. R. Harris, et al.	v. City; same as No. 184.
607, A. Milhade, et al.	v. do dismissed.
782, James W. Curl	v. City Council, S. F.; see state. of cases.
787, H. O. Guilford	v. do do same as No. 184.
1225, W. H. Davis	v. City; judgm't sat.
1292, S. A. Morrison	v. do " "
1487, W. H. Davis	v. do dismissed.
1626, John Halls	v. do see statement of cases.
1764, M. G. Leonard	v. do judgment satisfied.
2092, Harris & Panton	v. do " "
2159, E. Gilbert, et al.	v. do " "
2229, W. W. Caldwell	v. do see No. 1626, <i>sup.</i>
2231, Becket & Fallon	v. do " " " "
2354, W. Smith	v. do judgment satisfied.
2432, Henderson et al.	v. do dismissed.
2949, J. McGlynn	v. Board of Supervisors; judgment sat.
3016, A. Dewit, et al.	v. do " see state. cases.
3037, J. H. Hesse	v. City; judgment sat.
3060, A. Dewit, et al.	v. do same as No. 3016, <i>sup.</i>
3070, J. W. Tewksbury	v. do dismissed.
3236, W. E. Dennis	v. City, et al.; see statement of cases.
3318, State of California	v. City; see statement of cases.
3379, J. A. McGlynn	v. County; judgment satisfied.
3496½, People ex rel. Wilson	v. Board of Supervisors; see state. cases.
3555, John E. Body	v. City; judgment satisfied.
3559, James Findla	v. do see 13 Cal. 535.
3836, Edward Scott	v. do see 4 Cal. 114.
3837, Thomas H. Holt	v. do judgment satisfied.
3865, State Marine Hospital	v. do see statement of cases.
3939, William S. Clark	v. do dismissed.
4039, James Blair	v. do see statement of cases.
4070, G. Gordon, et al.	v. do dismissed.
4202, Eugene Casserly	v. do see statement of cases.
4273, Babcock & Swartz	v. do dismissed.
4404, John Nugent	v. do judgment satisfied.
4422, Kelsey Hazen	v. do dismissed.
5168, B. H. Munson	v. do " "
5199, Kelsey Hazen	v. do see statement slip suits.
5200, J. P. Buckley	v. do " " " "
5201, R. M. Jessup	v. do " " " "

No.	
5202, S. B. Whipple	v. City; see statement slip suits.
5203, Edward Whitstead	v. do " " " "
5204, T. J. A. Chambers,	v. do " " " "
5205, C. Gulliver, et al.	v. do " " " "
5206, John Perry, jr.	v. do " " " "
5207, B. Lawrence, jr.	v. do " " " "
5208, William C. Hoff	v. do " " " "
5209, A. B. Grogan	v. do " " " "
5210, John Johnson	v. do " " " "
5211, Thomas W. Lyles, et al.	v. do " " " "
5212, T. J. L. Smiley	v. do " " " "
5213, Schroeder, et al.	v. do " " " "
5214, Scheper, et al.	v. do " " " "
5215, R. Werthman	v. do " " " "
5216, C. E. S. McDonald	v. do " " " "
5217, Charles D. Carter	v. do " " " "
5218, A. W. Reed	v. do " " " "
5227, Francis Wolga	v. do " " " "
5229, P. G. Partridge	v. do " " " "
5248, A. Miller,	v. do " " " "
5539, William Fitzpatrick	v. do dismissed.
5624, Henry Richardson	v. do see list of judgments.
5725, S. B. Mills	v. County; judgment satisfied.
5952, F. M. Pixley	v. City; judgment satisfied.
6075, Haley & Thompson	v. County; see statement of cases.
6111, E. A. Lawrence	v. City; " " "
6154, William Hood	v. City & County; judgment satisfied.
6550½, James Haslett	v. City; see list of judgments.
6623, James McGovren	v. do judgment satisfied.
6626, A. B. Miner	v. do see 9 Cal. 39.
6642, Charles H. West	v. City & County; see statem't of cases.
6749, F. M. Pixley	v. City; judgment satisfied.
6850, People, ex rel. Tallant	v. Board of Supervisors; see 12 Cal. 300.
7038, William Y. Patch	v. do do see statem't of cases.
7096, D. J. Tallant	v. City & County; " " "
7106, E. F. Northam, et al.	v. do do " " "
7243, James Lang	v. do do see list of judgments.
7244, Henry Zottman	v. City & County; see statem't of cases.
7339, James Phelan	v. do do trans. 12th Dis. No. 8287.
7364, John Treat	v. Board of Supervisors, et al.; dismissed.
7365, S. H. Dwinelle	v. City & County; discontinued.
7386, State of California	v. do do see statem't of cases.

No.		
7480,	William A. Dana et al.	v. City & County; see statem't of cases.
7634,	William Smith	v. City, Co. & Commrs.; decree to q't title.
7806,	Levi Parsons	v. City & County; see statem't of cases.
7840,	People, ex rel. Brannan	v. do do " " "
7902,	Haggin, et al.	v. Clark, et al.; " " "
8056,	John F. Boyer	v. City & County; " " "
8090,	Charles T. Meyer	v. do do decree to quiet title.
8114,	J. Galloway	v. do do " " "
8127,	John Shirley	v. do do " " "
8128,	S. C. Hastings	v. do do " " "
8132,	C. C. Webb	v. do do suit to quiet title.
8138,	J. R. Snyder	v. do do discontinued.
8141,	Loyd Tevis	v. City & Co'ty, et al.; decree to q't title.
8147,	J. H. Beers, et al.	v. City & County; suit to quiet title.
8210,	A. J. Gunnison	v. do do decree to quiet title.
8266,	G. F. Sharp	v. do do " " "
8275,	L. E. Ritter	v. do do see statement of cases.
8276,	Francis Berton	v. do do same as No. 8275.
8282,	R. S. Tappan, et al.	v. do do decree to quiet title.
8305,	Thomas Johnson	v. City & County, et al.; suit to q't title.
8319,	Horace Hawes	v. do do dismissed.
8347,	John Benson	v. do do see statement of cases.
8358,	John Brannan	v. do do decree to quiet title.
8399,	James T. Boyd	v. City & Co'ty, et al.; " " "
8420,	Robert Snook, et al.	v. City & County; " " "
8438,	William B. Bourne	v. do do " " "
8439,	C. W. Crosby	v. do do " " "
8449,	Robert Simson, exec. &c.	v. do do suit to quiet title.
8522,	J. P. Sanders	v. do do decree to quiet title.
8525,	Ascha Frank	v. do do " " "
8565,	J. E. Davis	v. do do suit to quiet title.
8637,	George F. Noyes	v. do do " " "
8676,	John Dunn	v. City; see statement of cases.

 TWELFTH DISTRICT COURT.

68,	W. L. Chrysler	v. City; see list of judgments.
131,	Babcock & Swartz	v. do see 4th District, No. 4273.
204,	People, ex rel. Latimer and Wife	v. Mayor & Com. C'l; see state. of cases.
215,	O. C. Pratt	v. City; see statement of cases.

No.	
307,	Charles Minturn v. City; judgment satisfied.
308,	" " v. do " "
310,	J. W. James v. do judgment for deft., see list.
314,	Latimer and Wife v. do see statement of cases.
425,	M. Gaffney v. do discontinued.
639,	Wm. Smith, of Virg. v. do decree to quiet title.
849,	Philip Furlong v. do dismissed.
850,	W. L. Chrysler v. do see statement of cases.
871,	W. C. Bryant v. do discontinued.
912,	W. H. Oliver v. do " "
1009,	A. J. Taylor v. do " "
1010,	R. N. Snowden v. do judgment satisfied.
1067,	W. B. Bourne v. do see statement of cases.
1176,	J. L. Wetmore v. do " " "
1248,	J. B. Frisbie v. do judgment satisfied.
1533,	Nath. Holland v. do see slip suits.
1534,	J. H. Wells v. do " " "
1535,	William Sharon v. do " " "
1536,	M. Prag, et al. v. do " " "
1537,	Manuel Ainsa v. do discontinued.
1601,	Charles Bauer v. County; " "
1696,	S. C. Hastings v. City; see statement of cases.
1758,	S. M. Tibbetts v. do " " "
1777,	E. Cannon v. do dismissed.
1791,	Sam'l Brannan v. do see statement of cases.
1823,	John H. Dall v. do dismissed.
1878,	L. H. Thomas v. do see statement of cases.
1932,	J. Truebody v. do " " "
1937,	J. B. Thomas v. County; " " "
1944,	F. E. Preveaux v. City, et al.; see statement of cases.
1968,	N. T. Carryl v. City; " " "
1979,	John Wilson v. County; see list of judgments.
1982,	A. G. Wilson v. City; discontinued.
2102,	E. T. Crane v. do see statement of slip suits.
2106,	R. M. Jessup v. do " " " "
2107,	A. B. Grogan, et al. v. do see slip suits.
2108,	A. H. Reed v. do " " "
2109,	C. D. Carter v. do " " "
2110,	R. Werthman v. do " " "
2111,	A. Miller, et al. v. do " " "
2112,	Kelsey Hazen v. do " " "
2113,	Gulliver & French v. do " " "

No.				
2114,	C. E. S. McDonald	v. City;	see slip suits.	
2115.	T. W. Lyles, et al.	v. do	" "	"
2116,	Scheper & Van Bergen	v. do	" "	"
2117,	L. Schroeder	v. do	" "	"
2118,	F. Wolga	v. do	" "	"
2119,	S. B. Whipple	v. do	" "	"
2120,	T. J. A. Chambers	v. do	" "	"
2121,	John Johnson	v. do	" "	"
2122,	T. J. L. Smiley	v. do	" "	"
2123,	E. Whitstead	v. do	" "	"
2124,	William C. Hoff	v. do	" "	"
2125,	J. P. Buckley	v. do	see statement of slip suits.	
2126,	Eugene Crowell	v. do	" "	" "
2238,	G. W. Green	v. do	" "	" "
2319,	Moritz Caro	v. do	" "	" "
2370,	Edwin Randolph	v. do	see statement of cases.	
2424,	John McCracken	v. do	see slip suits.	
2425,	D. H. Newhaus	v. do	" "	"
2426,	W. Schad, et al.	v. do	" "	"
2427,	John Herzo	v. do	" "	"
2428,	H. Sparks	v. do	" "	"
2430,	J. A. Schmidt, et al.	v. do	" "	"
2431,	C. L. Poppe	v. do	" "	"
2437,	Jacob Forrest	v. do	see statement of cases.	
2447,	J. P. Bideau	v. do	see statement of slip cases.	
2474,	T. Peyre	v. do	" "	" "
2593,	B. H. Munson, et al.	v. do	see statement of cases.	
2700,	Juanita Pimental	v. do	see slip suits.	
2708,	J. & M. Phelan	v. do	see statement of cases.	
2709,	P. Chrystal	v. do	same as No. 2708.	
2710,	Edw. Martin	v. do	" "	"
2711,	G. W. Douglass, et al.	v. do	" "	"
2717,	C. C. Chapman	v. do	" "	"
2721,	A. J. Binney	v. do	" "	"
2750,	E. D. Kennedy	v. do	" "	"
2869,	W. R. Van Allen	v. do	" "	"
2896,	E. R. Carpentier	v. County;	judgment satisfied.	
2897,	John S. Hager	v. do	discontinued.	
2902,	D. S. Lord, et al.	v. do	judgment satisfied.	
2903,	David Scannell	v. do	see statement of cases.	
2923,	Sol. Heydenfeldt	v. City & County;	judgment satisfied.	
3447,	John Satterlee	v. do	do	see statem't of cases.

No.				
3775,	A. P. Haynes	v. City & County ;	decree to quiet title.	
3920,	James O'Callaghan	v. do do	see statem't of cases.	
4078,	C. L. Tiffany	v. do do	" " "	
4202,	Hentsch & Ritter	v. do do	discontinued.	
4743,	H. M. Naglee	v. do do	see list of judgm'ts.	
5552,	People, ex rel. Hugh O'Donnell	v. Board of Supervisors ;	see 11 Cal. 206.	
5688,	R. H. Pearson	v. City & County ;	see statem't of cases.	
5701,	James Dows	v. do do	dismissed.	
5719,	Harriet A. Lincoln	v. Roberts, et al. ;	judgment satisfied.	
5744,	People, ex rel. Gas Co.	v. Board of Supervisors ;	see 11 Cal. 42.	
6063,	Louis E. Ritter	v. City & County ;	see statem't of cases.	
6085,	Jonathan Hunt	v. do do	judgment satisfied.	
6092,	H. C. Wheeler	v. City & County, et al. ;	" "	
6208,	S. C. Hastings	v. City & County ;	see statem't of cases.	
6211,	H. C. Wheeler	v. City & County, et al. ;	judgm't satisfied.	
6231,	A. C. Whitcomb	v. City & County ;	" "	
6639,	Lucas, Turner & Co.	v. City ;	see statement of cases.	
6661,	John Mattoon, et al.	v. City & County ;	decree to quiet title.	
6674,	James Phelan	v. do do	dismissed.	
6957,	J. D. Bayerque	v. do do	decree to quiet title.	
7129,	Trust. 1st Bapt. Church	v. Hunt, tax coll. ;	see statem't of cases.	
7203,	P. Cootey, et al.	v. City & County ;	judgm't for deft. sat.	
7282,	F. L. A. Pioche	v. City & Co'ty, et al. ;	decree to q't title.	
7289,	Robert McMillan	v. do do do	" " "	
7319,	G. H. Howard, et al.	v. do do do	" " "	
7320,	H. F. Teschemacher	v. do do do	" " "	
7321,	Bernard Hamberger	v. do do do	" " "	
7425,	James W. Morse	v. do do do	see statem't cases.	
7426,	Joseph B. Thomas, et al.	v. do do do	same as 7425.	
7427,	D. W. Coit	v. do do do	" "	
7469,	D. P. Belknap, adm. &c.	v. Byington, et al. ;	see statem't of cases.	
7470,	D. P. Belknap, adm. &c.	v. Whitney, et al. ;	same as 7469.	
7511,	F. L. A. Pioche	v. City & County ;	decree to quiet title.	
7517,	E. P. Whitmore	v. do do	" " "	
7599,	Michael Reese	v. do do	" " "	
7636,	J. G. Clark	v. do do	" " "	
7656,	James O'Donnell	v. do do	" " "	
7658,	Erwin Davis	v. do do	" " "	
7677,	Eugene Crowell	v. do do	" " "	
7681,	St. L. Piper, et al.	v. do do	discontinued.	
7682,	Ole Bergson	v. do do	"	

No.					
7696,	J. W. Armstrong	v.	City & County	decree to quiet title.	
7698,	J. P. Treadwell	v.	do	do	" " "
7712,	Thomas Le Roy	v.	do	do	" " "
7714,	F. L. A. Pioche	v.	do	do	" " "
7715,	J. B. Bayerque	v.	do	do	" " "
7716,	F. L. A. Pioche	v.	do	do	" " "
7731,	H. C. Wheeler, et al.	v.	do	do	" " "
7767,	William H. Clark	v.	do	do	" " "
7860,	E. O. Brown	v.	do	do	" " "
7868,	C. C. Butler	v.	do	do	" " "
7908,	C. E. Woodbury	v.	do	do	" " "
7959,	James Phelan	v.	do	do	" " "
7974,	Horatim Paul	v.	do	do	" " "
8066,	N. W. Dawley	v.	do	do	" " "
8089,	Angus Gillis	v.	do	do	" " "
8094,	N. A. Soubitz	v.	do	do	" " "
8126,	James R. Traverse	v.	City & County, et al.;	see state. cases.	
8226,	Erwin Davis, et al.	v.	City & County;	decree to quiet title.	
8192,	J. S. McDougal	v.	do	do	" " "
8218,	Horace Hawes	v.	do	do	" " "
8236,	Isaac Kohn	v.	do	do	" " "
8287,	James Phelan	v.	do	do	see statement of cases.
8291,	Robert Roxby	v.	do	do	decree to quiet title.
8404,	H. W. Bradley	v.	do	do	" " "
8462,	T. W. Lyles	v.	do	do	" " "
8482,	C. J. Janson	v.	do	do	" " "
8508,	C. J. Dempster, et al.	v.	do	do	" " "
8574,	J. Vandenberg, et al.	v.	do	do	" " "

COUNTY COURT.

1028,	James Lang	v.	City & County;	judgment satisfied.	
1030,	G. H. Ensign	v.	do	see judgment list.	
1031,	Richard Parr	v.	do	do	" " "
	E. J. Hart	v.	do	do	" " "
1061,	Hugo Correns	v.	City;	see statement of cases.	
1258,	Abel Guy	v.	City & County;	pro. to perpet. tes'y	
1503,	R. B. Monks	v.	do	see judgment list.	
2147,	Ed. Minturn	v.	Burr, et al.;	see statement of cases.	

UNITED STATES CIRCUIT COURT.

No.

16, C. A. Davis, et al.	v. Teal, tax-collector ; see statem't cases.
17, do do	v. Teal, & Hayes sheriff; judgm't sat.
73, N. Luning	v. City of S. F. ; see statement of cases,
75, Alpheus Felch	v. do do dismissed,
76, J. B. Bayerque	v. do do “
79, Pacific M. S. S. Co.	v. Hayes, sheriff; see statement of cases,
82, do do do	v. Teal, tax-coll, ; “ “ “
115, C. Vanderbilt	v. do do discontinued.
116, do	v. John C. Hayes ; see statem't of cases,
117, do	v. City & County “ “ “
J. E. Mumford	v. Jarboe, et al, ; “ “ “

SCHEDULE II.

SUPERIOR COURT.

CITY OF SAN FRANCISCO } No. 223.
vs. } THOS. H. HOLT, *for Plaintiff*.
HENRY GUNTER, ET. AL. } LOCKWOOD, HACKETT & J. *for Defendants*.

This action was brought to restrain defendants from driving piles, etc., in the city slip property then set apart as a free public dock, etc. Injunction was issued, but upon hearing dissolved.

CITY OF SAN FRANCISCO } No. 1475.
vs. } CHAS. MCC. DELANEY, *for Plaintiff*.
P. A. MORSE, ET. AL. } THOMAS & LOCKWOOD, *for Defendant*.

Suit to enjoin the sale of August 9, 1852, by defendants, Commissioners of the Funded Debt, on the ground set out in complaint, that the injunction case of Peter Smith against same defendants was still unsettled, and operated as a cloud upon the title, so as to embarrass the sale to the injury of plaintiff. Injunction was issued, but on motion, dissolved.

CITY OF SAN FRANCISCO } No. 1693.
vs. } HACKETT, *for City*.
P. A. MORSE, ET. AL. } THOMAS CROCKETT & B. *for Defendants*.

Suit to enjoin the sale advertised for January 29, 1853. The motion to dissolve the injunction in this case was submitted on statement, but never argued, so far as the record shows.

CITY OF SAN FRANCISCO } No. 2938.

vs.

SHARP, *City Attorney.*

KELSEY HAZEN.

JAMES, DOYLE, & BARBER and PRINGLE & FELTON,
for Defendants.

This action was brought on two notes given by defendant in payment for two of the city slip lots, purchased at the sale of December 26, 1853. (See 5 Cal. 159.) Judgment for costs satisfied. A number of other cases were brought at the same time on the same cause of action. In case No. 2937, for \$4,625, summons was returned, not found; in 2939, judgment was entered upon default of defendant for \$13,209 16; in 2940, for \$4,200, summons was returned, defendant not found; in 2941, for \$3,925, summons was returned served; in 2962, for \$4,250, summons was returned served; in 2963, for \$4,250, answer was filed by B. S. Brooks, attorney, and Whitcomb Pringle & Felton afterwards substituted; and in cases 2964 and 2965, for \$4,250 each, summons was returned served.

CITY OF SAN FRANCISCO } No. 5401.

vs.

PEYTON, *for City.*

TAGGARD, ET AL.

WILLIAMS, STOW, BROWN & P. *for Defendant.*

Action to recover Market Square, comprising six water lots in the block bounded by Clay, Front, Washington and Davis streets. Judge Shattuck refused to act in this and similar cases, on the ground that he had acted as attorney in a case in the U. S. Court involving the same questions. The case was never transferred. Case No. 5402 was brought to recover triangular block, bounded by Market, Battery, and Bush streets; and default of defendants was entered April 10, 1856. Case No. 5403, to recover Market square on Stuart street, was dismissed, and the title is now being tested by the Supreme Court. (See cases Nos. 7978, 7979, and 7980, Fourth District Court.) Case No. 5404 was commenced to recover possession of triangular block bounded by Sacramento and Market streets on the north and south, and west by water lots 571, 575, inclusive. Default was entered

against all of the defendants, but answer was afterwards filed by two of them. In case No. 5405, to recover triangular block bounded by Market, Front, and Pine streets, answers were filed by some of the defendants, and default entered against others.

CITY OF SAN FRANCISCO	}	No. 597.
<i>vs.</i>		THOS. H. HOLT, <i>for Plaintiff.</i>
V. LEROY, ET AL.		YALE & NUNES, <i>Defendant.</i>

Complaint filed May 30th, 1850. Suit to restrain sale by Sheriff of certain property belonging to plaintiff, and advertised for sale under execution issued on the judgment of defendant against the city. Injunction was issued, and on motion to dissolve, the sale was indefinitely postponed.

CITY OF SAN FRANCISCO	}	No. 2895.
<i>vs.</i>		C. McC. DELANEY, <i>for Plaintiff.</i>
WILLIAM DEVIER.		PIXLEY, BYRNE & H. <i>for Defendants,</i>

Complaint filed April 28, 1852, to recover personal property set out in complaint. Issue joined, but no further action taken.

CITY OF SAN FRANCISCO	}	No. 3530.
<i>vs.</i>		CASSERLY & DWINELLE, <i>for Plaintiff.</i>
JAS. C. WARD, ET AL.		AUSTIN & RANKIN <i>for Defendants.</i>

Complaint filed March 16, 1853. Action to recover possession of the land used and occupied by the Joint Stock Central Wharf Company, with damages. Issue joined, but never brought to trial.

CITY OF SAN FRANCISCO } No. 3849.
 } *J. K. HACKETT, for Plaintiff.*
 } *McALISTER, S. & R. for Defendants.*
 } *vs.*
 THOS. O. LARKIN.

Complaint filed August 10, 1853, praying a decree of the Court to enforce payment of assessments levied on defendants property to pay for the opening of Merchant street between Montgomery and Battery. Answer filed, but cause never tried.

CITY OF SAN FRANCISCO } No. 4101.
 } *S. A. SHARP, for Plaintiff.*
 } *McALLISTER W. & R. for Defendants.*
 } *vs.*
 JAS. W. BOWMAN, ET AL.

Suit brought November 12, 1853, to restrain defendants from driving piles, etc., on Front street between Broadway and Pacific streets. Injunction was issued in accordance with the prayer of the complaint, and thus the case stands.

CITY OF SAN FRANCISCO } No. 4113.
 } *S. A. SHARP, City Attorney.*
 } *vs.*
 LEWIS TEAL.

Complaint filed Nov. 15th, 1853, to recover \$50,000 from defendant, who collected the same in his official capacity as Tax Collector, but refused to account therefor. Cause tried in September, 1854, and jury instructed to bring in a verdict for plaintiff, in the sum of \$22,438 22. Judgment does not appear to have been docketed.

CITY OF SAN FRANCISCO } No. 7140.
 } *F. P. TRACY, City and County Attorney.*
 } *vs.*
 CLAY STREET WHARF CO.

This suit, No. 7140, and Nos. 7144, 7145, and 7146, were

brought to recover back rents due from the various wharf companies, as follows :

From Clay Street Wharf Company,	(No. 7140),	\$20,200 00
“ Jackson “ “ “	(No. 7144),	16,770 00
“ Washington “ “	(No. 7145),	20,400 00
“ Vallejo “ “ “	(No. 7146),	6,200 00

Summons was returned served in all, and in No. 7146, answer filed by Bennett and Satterlee, attorneys.

CITY OF SAN FRANCISCO } No. 7242.

vs.

} F. P. TRACY, *City and County Attorney.*

E. MICKLE, AUDITOR.

This was a bill filed June 2, 1858, to restrain defendant from auditing certain demands of the Board of Examiners appointed by the Legislature to examine certain claims against the city and county, until the duties assigned to them should be completed. Injunction dissolved, and bill dismissed.

CITY OF SAN FRANCISCO } No. 7318.

vs.

} TRACY & HOLLADAY, *for Plaintiff.*

JAMES ROSS, ET AL.

} CASSERLY AND OTHERS, *for Defendants.*

This suit was brought against James Ross, the assignee of Henry A. Lyons, who obtained a decree of foreclosure and order of sale of the two lots upon which the City Hall property is built, and by whom it was advertised for sale. The complaint alleges that the city paid to Ross certain sums of money on said mortgage, all of which exceeded the amount of his claim. The Commissioners of the Funded Debt, the other parties defendant, claimed an interest in the sums so paid to Ross, and were necessarily made parties to the action.

Upon trial, a decree was entered, giving the City and County judgment against Ross for \$2,000, and the Commissioners of the Funded Debt against the City and County for \$25,200. The

judgment against Ross has been satisfied of record, and about \$22,000 have been paid to the Commissioners of the Funded Debt by the City and County. (See list of judgments.) Judgment entered October 19, 1859.

CITY AND COUNTY OF SAN FRANCISCO	} No. 7323.
<i>vs.</i>	
WILLIAM RABE.	

F. P. TRACY, *for City.*
RABE, *Attorney per se.*

Complaint filed August 16, 1858, to restrain Sheriff's sale of city property under execution issued on defendant's judgment against the city. Injunction made perpetual. Statement on appeal filed, but appeal never perfected.

CITY AND COUNTY OF SAN FRANCISCO	} No. 7705.
<i>vs.</i>	
F. M. PIXLEY, ET AL.	

HOLLADAY, *City and County Att'y.*
F. M. HAIGHT, *for Defendants.*

Complaint filed Sept. 17, 1859. This suit was brought to restrain Sheriff Doane from giving deeds to defendants for certain property sold under execution against the city. The Court below rendered a decree in accordance with the prayer of the complaint, and the case is now pending on appeal.

BOARD OF EDUCATION	} No. 7738.
<i>vs.</i>	
C. H. DOMETT, ET. AL.	

S. W. HOLLADAY, *for City.*
MERRILL & FABENS, *for Defendants.*

Complaint filed October 21, 1859. Suit in ejectment to recover part of 50 vara lot No 301, upon the other part of which the Denman School House stands. Judgment for the plaintiff in the Court below : now pending on appeal before the Supreme Court.

CITY AND COUNTY OF SAN FRANCISCO } No. 7781.

vs.

JOHN MCHENRY, *for Plaintiff.*J. G. LAWTON, *Administrator, etc.*D. W. PERLEY, *for Defendants.*

Complaint filed Nov. 26, 1859. This action was brought to foreclose the mortgage executed by Lyman Mowry, deceased, to secure the payment of \$20,000 loaned to said Mowry by the Mayor, Comptroller, and Treasurer of the City. The defendants, Sawyer, Howard, and others, are interested as the purchasers of the mortgaged premises from Mowry, subsequent to the mortgage, and in their answer set up a title acquired long prior to that, from Alvarado, former Governor of California. Decree of foreclosure was entered October 6, 1860, and the case is now pending on appeal.

BOARD OF EDUCATION

vs.

No. 7926.

HOLLADAY, *City and County Att'y.*

MICHAEL O'REILLY.

S. M. BROSNAN, *for Defendant.*

This suit was brought March 17, 1860, to recover school lot, on Telegraph Hill (No. 462). Judgment for plaintiff, and writ of restitution issued. The defendant does not intend to appeal.

CITY AND COUNTY OF SAN FRANCISCO } No. 7978.

vs.

HOLLADAY, *City and County Att'y.*

WILLIAM C. TALBOT, ET AL.

CROCKETT & CRITTENDEN *for Defts.*

Complaint filed April 10, 1860. This suit and Nos. 7979 and 7980 were brought to recover the Market square on Steuart street, comprising water lots Nos. 679, 688, 687, 689, 690. On trial, judgment was given for defendants in all the cases, and they are now pending on appeal.

CITY AND COUNTY OF SAN FRANCISCO	}	No. 8368.
vs.		STOW, BROWN & PATTERSON <i>for Plff.</i>
C. C. WEBB.		S. H. PARKER, <i>for Defendant.</i>

This is a private suit brought by parties interested to open Balance street. It is submitted on briefs.

TWELFTH DISTRICT COURT.

CITY OF SAN FRANCISCO	}	No. 26.
vs.		S. A. SHARP, <i>for City</i>
E. HEYDENFELDT.		HEYDENFELDT <i>in pro. persona.</i>

Complaint filed June 2, 1854, in ejectment, to recover part of 50 vara lot No. 301, on southeast corner Bush and Stockton streets (Denman School lot). The defendant answers, disclaiming all interest except as tenant of Fowler, who, by leave of the Court, files a separate answer. Judgment for plaintiff reversed on appeal, with costs. (See Leonard *v.* Darlington, 6 Cal. 123. See list of Judgments.)

CITY OF SAN FRANCISCO	}	No. 1547.
vs.		LORENZO SAWYER, <i>City Attorney.</i>
C. H. DOMETT ET AL.		ELY & RANKIN, <i>Defendant's Attorneys.</i>

Complaint filed April 10, 1855. This and the succeeding cases were brought to recover possession of School lots, as follows :

No. 1547—50 vara lot No. 301, corner of Stockton and Bush streets. Answer filed, but never tried.

No. 1548—100 vara lot No. 174, corner of Harrison and Fourth streets. Disclaimer filed by Harvey Lee, attorney, and decree entered accordingly.

No. 1549—papers missing.

No. 1550—50 vara lot No. 663, corner of Vallejo and Taylor streets. Issue joined, but never tried.

No. 1551—50 vara lot No. 732, corner of Fremont and Harrison streets. Never brought to trial.

No. 1552—50 vara lot No. 462, corner Filbert and Kearny streets. Summons returned served.

CITY OF SAN FRANCISCO	}	No. 1646.
vs.		LORENZO SAWYER, <i>City Attorney</i> .
ROBERT FOOLEY, ET AL.		

Complaint filed April 21, 1855. Action to recover School lot No. 128, corner of Market and Fifth streets. Summons not issued.

CITY AND CO. OF SAN FRANCISCO	}	No. 2995.
vs.		H. H. BYRNE, <i>City Attorney</i> .
G. W. GREEN, ET AL.		LOCKWOOD & WALLER, and COOK & FENNER, <i>for Defendants</i> .

Complaint filed August 7, 1856. Suit brought against Green as Treasurer, and his sureties on official bond, to recover \$10,288 05, paid as clerk hire by warrants drawn upon himself. Demurrer overruled, and cause referred to Nathaniel Bennett, Esq.

CITY AND CO. OF SAN FRANCISCO	}	No. 3941.
vs.		F. P. TRACY, <i>City and Co. Attorney</i> .
N. S. PETTIT.		

Complaint filed June 1, 1857, to recover personal property set out in complaint, being certain books belonging to Tax Collector's office. Summons never issued.

CITY AND CO. OF SAN FRANCISCO	}	No. 4005.
vs.		F. P. TRACY, <i>City and County Attorney.</i>
R. E. WOODS, ET AL.		SHAFTER, P. & H. <i>for Defendants.</i>

Complaint filed June 11, 1857, to recover \$12,178 98 on official bond, for alleged malfeasance in office. Cause referred to Charles Halsey, Esq., to report judgment. Case No. 4005 to recover \$5,331 40, was also referred to Mr. Halsey.

CITY AND CO. OF SAN FRANCISCO	}	No. 4369.
vs.		F. P. TRACY, <i>City and County Attorney.</i>
JOHN BARMORE.		

Complaint filed Sept. 8, 1857. Suit in ejectment to recover two 100 vara lots reserved for a Plaza on block bounded by Harrison, Harris, Folsom and Simmons streets. Judgment was entered by default against defendant, but afterward on the affidavits of Sarah Julian and others, occupants of the land, an order was issued restraining plaintiff from enforcing judgment.

CITY OF SAN FRANCISCO	}	No. 4439.
vs.		F. P. TRACY, <i>City and County Attorney.</i>
H. O. GOUGH, ET AL.		

Complaint filed Oct. 8, 1857. Suit against Gough and his sureties on bond conditioned to pay plaintiff \$5,000, or to keep and perform a certain contract in writing, between Gough and Devoe, Commissioner of Public Streets and Highways, said contract being recorded in Contract Book as No. 30. A stipulation will be found on file to the effect that if defendant shall perform said contract, the suit will be considered as abandoned, otherwise the stipulation to be considered a nullity. No answer filed.

CITY AND CO. OF SAN FRANCISCO	}	No. 5350.
vs.		F. P. TRACY, <i>City and Co. Attorney.</i>
GAS CO. & PIXLEY, ET AL.		PIXLEY & SMITH, <i>for Defendants.</i>

Complaint filed May 11, 1858. Action brought against Pixley, assignee of a certain judgment recovered in Twelfth District Court by the Gas Company against the city, to restrain sale of certain outside property under execution issued thereon. Injunction issued. Pending, on agreed statement of facts.

CITY AND CO. OF SAN FRANCISCO	}	No. 5750.
vs.		F. P. TRACY, <i>City and County Attorney.</i>
GAS CO. & PIXLEY, ET AL.		F. M. & H. H. HAIGHT, <i>for Defendants.</i>

Complaint filed Sept. 23, 1858. This cause was commenced to restrain defendant Doane from making a deed to Pixley, for the same property involved in case No. 5350 (sup.) which was sold under an alias execution, issued upon the same judgment of Gas Company against the city. A decree was entered for defendants, but a notice of intention to move for a new trial was filed Dec. 4, 1860, with the affidavit of S. W. Holladay, upon which the motion was based.

CITY AND CO. OF SAN FRANCISCO	}	No. 5988.
vs.		F. P. TRACY, <i>City and County Attorney.</i>
D. J. TALLANT, ET AL.		H. H. HAIGHT, <i>for Defendants.</i>

Complaint filed Dec. 31st, 1858. This action was brought against Tallant and his sureties on his official bond to recover \$75,000, which complaint alleges was lost to the city through the negligence or malfeasance of said Tallant as a Commissioner of the Funded Debt. Issue joined, but never brought to trial.

PEOPLE EX REL. BURR	}	No. 6070.
vs.		F. P. TRACY, <i>City and County Attorney.</i>
WM. A. DANA, ET AL.	}	SHAFTER, P. & HEYDENFELT, CROCKETT and CRITTENDEN, and W. H. S. WILLIAMS, <i>for Defendants.</i>

Complaint filed. Suit to remove an alleged nuisance caused by obstructing East street between Clay and Jackson streets. Judgment for plaintiffs in Court below. Now pending on appeal.

CITY AND CO. OF SAN FRANCISCO	}	No. 6841.
vs.		S. W. HOLLADAY, <i>City and Co. Attorney.</i>
JNO. BARMORE, ET AL.	}	SEXTUS SHEARER, <i>for Defendants.</i>

Complaint filed Sept. 24, 1859. Suit in ejectment to recover the Plaza marked on city maps between Folsom and Harrison, and Harris and Simmons streets. Judgment for plaintiff in Court below, and now pending on appeal.

CITY AND CO. OF SAN FRANCISCO	}	No. 6968.
vs.		HOLLADAY, <i>City and Co. Attorney.</i>
R. H. SINTON.	}	HOGUE & WILSON, <i>for Defendant.</i>

Complaint filed Nov. 5, 1859. Ejectment to recover slip lots Nos. 9 and 10. Judgment final for plaintiff, subsequently to which defendant paid in full the price bid on the lots at the sale of Dec. 26, 1853, in city scrip under the act of 1860, took Treasurer's deed, and claims the lots by right of possession.

CITY AND CO. OF SAN FRANCISCO	}	No. 8060.
vs.		HOGUE & WILSON, <i>for Plaintiff.</i>
J. C. BEIDEMAN.	}	NUGENT & JUDAH, <i>for Defendant.</i>

Complaint filed October 5, 1860, praying an injunction to

restrain the sale of certain outside property known as the Beide-man tract. Injunction issued, but dissolved on appeal to the Supreme Court. (See decision, January term, 1861.)

CITY AND CO. OF SAN FRANCISCO } No. 8339.

vs.

} HOLLADAY, *City and County Attorney.*

JONATHAN HUNT. }

Complaint filed Jan. 16, 1861, to recover certain commissions paid to Hunt as Tax Collector, but alleged to be illegal. No summons yet issued.

COUNTY COURT.

CITY AND CO. OF SAN FRANCISCO } No. 1231.

vs.

} TRACY *for Plaintiffs.*

JONES & FAIRFOWL. }

} BOWLIN *for Defendants.*

This cause was brought by the Dock Master against defendants, as owners of a certain storeship, which they neglected to remove in accordance with a notice served upon them by plaintiffs. Judgment was rendered for defendants. Cases Nos. 1232, 1241, 1280, 1380 and 1381, were brought upon the same grounds, and met with the same disposition.

SUPERIOR COURT.

ALDRICH & McCULLOUGH } No. 57.

vs.

} BOWIE & McDUGAL, *for Plaintiffs.*

THE CITY OF SAN FRANCISCO. }

} THOS. H. HOLT, *for Defendant.*

This action, and a number of others which are referred to it in the list of cases (see sup.), was brought to recover damages sustained by reason of the destruction of certain buildings by

order of the Mayor, during the great fires which swept the city in 1850. The principle involved was decided by the Supreme Court against the plaintiffs in the case of *Dunbar v. The Alcalde and Ayuntamiento* (1 Cal. 355), and the rest of the cases seem to have been abandoned.

WEBER	}	No. 574.
<i>vs.</i>		A. PEACHY, <i>for Plaintiff.</i>
THE CITY OF SAN FRANCISCO, ET AL.		SMITH, <i>for Defendants.</i>

This action was brought against the City and Street Commissioner to enjoin the sale of property claimed by plaintiff to pay street assessments. The injunction was issued, but upon hearing, the Court below rendered a decree that the land should be sold, unless payment should be made within a specified time, and imposing a tax of one per cent. per day for non-payment. In the Supreme Court, this judgment, as to the above points, was reversed, but the assessment pronounced valid and binding. (1 Cal. 455.) A number of other cases, similar to this, were never brought to trial. They will be found in the list of cases. (See sup.)

CORNELIUS DE BOOM,	}	No. 760.
<i>vs.</i>		BURRITT, YALE & MUNSON, <i>for Plaintiff.</i>
THE CITY OF SAN FRANCISCO.		PIXLEY, <i>for City.</i>

This action rose out of the sale to the city of a lot on Portsmouth square, now forming the western half of Merchant street. The complaint prayed that defendants might be enjoined from using the property as a street, or be required to deliver the possession to plaintiff, with damages. An injunction was issued, and so the case stands.

ALFRED WHEELER	}	No. 821.
<i>vs.</i>		WHEELER, <i>Attorney per se.</i>
THE CITY OF SAN FRANCISCO.		PIXLEY, <i>for City.</i>

Judgment was rendered in this case in favor of plaintiff for \$5,000, for services at the Legislature, with reference to the water lot act of 1851. Judgment remains unsatisfied of record.

EDMUND LAFFAN, ET AL.	}	No. 966.
<i>vs.</i>		HOLMES & LIPPITT, <i>for Plaintiff.</i>
BOARD OF SUPERVISORS.		J. S. HAGER, <i>for Defendant.</i>

Suit to foreclose the mortgage, executed by Morrison, McGowan, and Brown, composing the Court of Sessions of the County of San Francisco, to plaintiffs, for the payment of \$60,000 purchase price for lot on Portsmouth Square. The case was tried, and a verdict rendered by the jury, after which no further proceedings appear to have been taken. The case of Burgoyne against the same defendants presents the same points, and was decided by the Supreme Court at the January term, 1855. (5 Cal. 9.)

JAMES MELVIN	}	No. 1170.
<i>vs.</i>		BAKER, <i>for Plaintiff.</i>
THE CITY OF SAN FRANCISCO.		

Action to recover the amount of certain scrip alleged to have been burned. No answer filed.

J. R. DUNGLISON	}	No. 2212.
<i>vs.</i>		SAWYER, JOHNSON & P. <i>for Plaintiff.</i>
THE CITY OF SAN FRANCISCO.		SHARP, <i>City Attorney.</i>

Suit to recover the sum of \$1,710 for work, labor, etc. Verdict for plaintiff, \$96 damages.

CHARLES H. HILL	}	No. 2712.
<i>vs.</i>		E. D. BAKER, <i>for Plaintiff.</i>
THE CITY OF SAN FRANCISCO.		SHARP, <i>City Attorney.</i>

Suit to recover certain sums of money for work and labor done under contract set out in complaint. Verdict for plaintiff, subject to opinion of the Court, but no judgment entered.

(Since the above was written, a discontinuance has been discovered in this case, among the loose papers in Clerk's office.)

WILLIAM NORRIS	}	No. 3076.
<i>vs.</i>		JANES, DOYLE & BARBER, <i>for Plaintiff.</i>
THE CITY & O'CALLAGHAN.		

This action was brought to set aside street assessment upon certain property described in the complaint, and to enjoin the defendants from selling the same. Decree was entered accordingly upon the default of defendants, and injunction issued. A number of other cases were brought, of the same nature, and with the same result, which are referred to this. In other cases, judgment was entered for costs, which costs are satisfied of record. Others still were brought against O'Callaghan alone, and these do not appear in the list of cases.

JAMES H. RAY	}	No. 3431.
<i>vs.</i>		FENNER & TAYLOR, <i>for Plaintiff.</i>
THE CITY OF SAN FRANCISCO.		

Injunction issued to restrain defendant from selling certain lots (particularly described) on the tract bounded by Sacramento, Davis, Clay, and East streets, and no further proceedings taken.

FELIX ARGENTI	}	No. 3455.
<i>vs.</i>		JOHN W. DWINELLE, <i>Plaintiff's Attorney.</i>
THE CITY OF SAN FRANCISCO.		PRYTON & HAIGHT, <i>for City.</i>

This action was brought to recover the sum of \$121,000, for grading, planking, and sewerage Mission street, between Third and Main streets. Judgment was entered April 30, 1857, for \$82,108 60, and costs, \$546 50. On appeal, judgment was reversed, on the ground that no action could be maintained upon warrants drawn upon a particular fund, which had failed, but the plaintiff must rely upon the original obligation. As only part of the judgment was based upon city warrants, the cause was remanded, and the Court below ordered to render a judgment for the balance, in accordance with the decision. (See Sup. Court R. July T. 1860.) Motion for rehearing denied, and cause referred to Wm. H. Patterson, Esq., by the Court below, to report decree, Dec. 1860.

CHARLES L. POTTER	}	No. 3691.
<i>vs.</i>		C. H. GILMAN, <i>Plaintiff's Attorney.</i>
THE CITY OF SAN FRANCISCO.		

Complaint filed to recover \$500 for grading Brannan street, but no answer filed.

CHARLES T. BOTTS	}	No. 4274.
<i>vs.</i>		C. T. EMMETT, <i>for Plaintiff.</i>
THE CITY OF SAN FRANCISCO.		SAWYER, <i>City Attorney.</i>

Action to enjoin the sale of defendant's property to pay street assessments. Injunction issued, but no further proceedings taken. Cases Nos. 4275 and 4351 were brought by Botts & Judah, attorneys, for the same purposes, and with the like results.

JOSEPH PERKINS

vs.

THE CITY TREASURER AND AUDITOR.

No. 5269.

E. B. MASTICK, *Attorney for Pltff.*

The complaint in this case sets out certain city scrip held by plaintiff, for which he claimed priority, and prays that the defendants may be enjoined from applying the moneys in their possession to any other purpose until said scrip should be paid. The injunction was issued, and the case dropped.

A. H. HOUSTON

vs.

THE CITY OF SAN FRANCISCO.

No. 5556.

J. G. BALDWIN, *for Plaintiff.*PEYTON, *City Attorney.*

Complaint filed April 29, 1856, to recover \$6,443 on Comptroller's warrants. Demurrer to complaint sustained, with leave to amend in twenty days, but no amendments filed.

HENRY TOOMY

vs.

THE CITY OF SAN FRANCISCO.

No. 5663.

J. McC. DELANEY, *for Plaintiff.*PEYTON, *for City.*

Suit to recover \$15,714 44 on city warrants. Demurrer argued, submitted, and sustained.

JOHN JOHNSTON

vs.

THE CITY OF SAN FRANCISCO.

No. 5719.

McDOUGAL, ALDRICH & S. *for Plaintiff.*PEYTON, *for City.*

Action to recover the sum of \$1,500, for filling and grading the crossing of Fifth and Brannan streets. Demurrer sustained.

L. HUMPHREYS } No. 5722.
vs. } WHITCOMB, P. & F. *for Plaintiff*.
THE CITY OF SAN FRANCISCO. } PEYTON, *for Defendant*.

To recover \$593 for city printing in the *Sun* newspaper.
Never brought to trial.

THOMAS BOYD } No. 5747.
vs. } BALDWIN, *for Plaintiff*.
THE CITY OF SAN FRANCISCO. } BYRNE, *for City*.

Suit to recover on city warrants \$7,630. Demurrer sustained,
with leave to amend, but no amended complaint filed.

E. J. PRINGLE } No. 5749.
vs. } WHITCOMB, P. & F. *for Plaintiff*.
THE CITY OF SAN FRANCISCO. } BYRNE, *for Defendant*.

To recover rent of Engine House on Pacific street. Same
disposition as above, with leave to amend after five days notice.

GEORGE K. FITCH, ET AL. } No. 5774.
vs. } E. B. MASTICK, *for Plaintiff*.
THE CITY OF SAN FRANCISCO. }

Complaint filed to recover \$2,877 62 for city printing. Sum-
mons not served.

E J. HUNTER	}	No. 5992.
vs.		J. C. McHENRY, <i>for Plaintiff.</i>
THE CITY OF SAN FRANCISCO.		HAIGHT, <i>for City.</i>

To recover \$3,000 on city warrants. Demurrer sustained, but no amended complaint filed.

FOURTH DISTRICT COURT.

EARL AND McINTOSH	}	No. 184.
vs.		P. A. MORSE, <i>for Plaintiff.</i>
CITY COUNCIL, ET AL.		THOS. H. HOLT, <i>for Defendants.</i>

Complaint filed March 28, 1850. This suit is same as No. 57, in Superior Court (see sup.), and was probably abandoned for the same reason.

JAMES W. CURL	}	No. 782.
vs.		WILSON & MURRAY <i>for Plaintiff.</i>
MAYOR AND COM. COUNCIL.		THOS. H. HOLT, <i>for Defendants.</i>

Injunction issued to restrain defendants from digging graves and burying dead bodies in lot No. 513, on Powell street. Demurrer filed, but never argued.

JOHN HALLS	}	No. 1626.
vs.		WARD, WILLIAMS, & COOK, <i>for Plaintiff.</i>
CITY AND McCARTHY.		THOS. H. HOLT, <i>for City.</i>

Action to enjoin the sale of certain property claimed by plaintiff for street assessments, and to recover damages, &c. Injunction issued. In case No. 2229, brought for the same purpose, the injunction was made perpetual, and in No. 2231, injunction

was issued, but motion to dissolve never argued. (See *Weber vs. City et al.*, 1 Cal. 455, and case No. 574 in Superior Court, sup.)

A. DE WITT ET AL.	}	No. 3016.
vs.		CHETWOOD, EDWARD & R. <i>for Plaintiffs.</i>
BOARD OF SUPERVISORS, ET AL.		E. NORTON, <i>for City.</i>

This suit was brought to enjoin the defendants from completing an alleged contemplated purchase of one half of the lot on which the City Hall now stands. At the same time, or soon after, a similar suit was brought against the City et al., to restrain the purchase of the other undivided half of the same property. Both cases were appealed from an order denying the motion to dissolve the injunction, and remittitur issued in both cases, but only the latter will be found reported in our State Reports. For which, and full particulars, see 2 Cal. p. 289.

WM. E. DENNIS	}	No. 3236.
vs.		McALLISTER, E. & R. <i>for Plaintiff.</i>
CITY AND COM. COUNCIL.		J. McC. DELANEY, <i>for City.</i>

In this action injunction was issued to restrain the defendants from signing certain contracts to certain parties for building certain wharves, on the alleged ground that the bids for the same were fraudulent and void. No further proceedings taken.

STATE OF CALIFORNIA	}	No. 3318.
vs.		S. C. HASTINGS, <i>Attorney General.</i>
CITY OF SAN FRANCISCO, ET AL.		

This cause was commenced Dec. 7, 1852, to declare void all sales of beach and water lot property under execution issued against the city, alleging fraud on the part of the city and de-

defendants in allowing said sales with the alleged intention of depriving the State of the 25 per cent. reserved by the terms of the Water Lot Act of 1851. Summons was never issued.

PEOPLE EX REL. WILSON	}	No. 3496½.
vs.		
BOARD OF SUPERVISORS.		

In this case there are two papers on file—a petition asking for a mandamus from the Court compelling defendants to pay the relator compensation for his services as legal counsel, and a writ of mandamus. No further proceedings appear to have been taken.

STATE MARINE HOSPITAL	}	No. 3865.
vs.		
		E. C. MARSHALL <i>for Plaintiff</i> .
CITY OF SAN FRANCISCO.		J. K. HACKETT, <i>for City</i> .

Complaint filed August 15, 1853, to recover the sum of \$50,000 for maintaining the sick of the city. Answer filed, but cause never tried.

JAMES BLAIR	}	No. 4039.
vs.		
		CASSERLY & DOYLE, <i>for Plaintiff</i> .
CITY OF SAN FRANCISCO, ET AL.		

Suit to restrain defendants from issuing city bonds in pursuance of a pretended ordinance passed September 5, 1853. Injunction issued, and no further proceedings.

EUGENE CASSERLY	}	No. 4202.
vs.		
		CASSERLY, <i>Attorney per se</i> .
CITY OF SAN FRANCISCO.		S. A. SHARP, <i>City Attorney</i> .

Action to recover \$14,000 for professional services as attorney

at law, in and about the business of defendant. Cause referred to J. K. Rose, Nov. 1, 1858.

HALEY & THOMPSON	}	No. 6075.
<i>vs.</i>		J. B. HAGGIN, <i>for Plaintiff.</i>
COUNTY OF SAN FRANCISCO.		F. P. TRACY, <i>for Defendants.</i>

Complaint filed Feb. 27, 1858. Claim for \$966, board of the jury in the case of People *vs.* Cora, indicted for murder. Pending on demurrer to amended complaint.

E. A. LAWRENCE	}	No. 6111.
<i>vs.</i>		LAWRENCE, <i>Attorney per se.</i>
CITY OF SAN FRANCISCO.		PEYTON, <i>for City.</i>

Complaint filed May 7, 1857, to recover \$6,002 for grading and excavating the crossing of Montgomery and Broadway streets. Demurrer sustained, and no amended complaint filed.

CHARLES H. WEST	}	No. 6642.
<i>vs.</i>		PIXLEY & SMITH, <i>for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO.		

Injunction issued to restrain defendants from using a certain building on Market street near Price, as a Small Pox Hospital, or pest house.

WILLIAM Y. PATCH	}	No. 7038.
<i>vs.</i>		SHAFTERS, P. & H. <i>for Plaintiffs.</i>
BOARD OF SUPERVISORS.		TRACY, <i>for City.</i>

In this case a peremptory mandamus was issued Jan. 13, 1858, commanding the Board of Supervisors to audit the accounts of plaintiff, being his commissions as Tax Collector.

TALLANT & WILDE

vs.

CITY AND CO. OF SAN FRANCISCO.

No. 7096.

WHITCOMB, P. & F. *for Plaintiffs.*

Complaint filed Feb. 19, 1858, by plaintiffs, assignees of D. S. Turner, to recover the sum of \$2,409 78, Treasurer's commissions. Summons issued, but never returned.

E. F. NORTHAM, ET. AL.

vs.

CITY AND CO. OF SAN FRANCISCO, ET AL.

No. 7106.

W. W. CRANE, *for Plaintiffs.*F. P. TRACY, *for Defendants.*

Complaint filed Feb. 25, 1858, to quiet title to 100 vara lot No. 130, and to declare void the Sheriff's sale of the same subsequent to the deed from defendants (Commissioners Funded Debt) to the plaintiffs. Judgment entered accordingly.

HENRY ZOTTMAN

vs.

CITY AND CO. OF SAN FRANCISCO.

No. 7244.

R. H. WALLER, *for Plaintiff.*BYRNE & HAIGHT, *for City.*

Complaint filed Nov. 15, 1856, in Superior Court (No. 6170), to recover the sum of \$2,452, for work, labor, and extra materials used in building the Plaza fence. Pending in Supreme Court, on appeal of plaintiff.

STATE OF CALIFORNIA

vs.

CITY AND CO. OF SAN FRANCISCO.

No. 7386.

THOS. H. WILLIAMS, *Attorney General.*F. P. TRACY, *City and Co. Attorney.*

Complaint filed Oct. 13, 1858, to recover water lot No. 118, which, at the date of the Water Lot Act, was not surveyed, in conformity with other lots. Judgment for defendants. Statement on appeal filed.

WM. A. DANA, ET AL.	}	No. 7480.
vs.		PORTER & SAWYER <i>for Plaintiffs.</i>
CITY AND CO. OF SAN FRANCISCO.		TRACY & HOLLADAY, <i>for City.</i>

Complaint filed Feb. 25, 1859, to recover the sum of \$2,830, on County scrip. Judgment for defendant in Court below, now pending on appeal.

LEVI PARSONS	}	No. 7806.
vs.		E. COOK, <i>Attorney for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO.		S. W. HOLLADAY, <i>Attorney for City.</i>

Complaint filed Dec. 22, 1859. Claim for \$20,000 damages sustained by plaintiff by falling into an excavation on Stockton Street. Judgment of nonsuit in court below. Pending on appeal.

PEOPLE EX REL. BRANNAN AND SAMUEL BRANNAN	}	No. 7840.
vs.		E. CASSELY, <i>for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO, ET AL.		SHAFTER & HOLLADAY <i>for Def.</i>

Action to restrain the city from granting to the Railroad Company or any other corporation or person the right of constructing a railroad on certain specified streets. Complaint filed Jan. 9, 1860, and injunction issued accordingly.

JAMES B. HAGGIN, ET AL.	}	No. 7902.
vs.		D. W. PERLEY, <i>for Plaintiff.</i>
WILLIAM S. CLARK AND CITY AND CO. OF SAN FRANCISCO.		CLARK & HOLLADAY <i>for Defendants.</i>

Complaint filed Feb. 29, 1860, to recover possession of the land on corner of Broadway and Battery streets, known as the Leese and Vallejo claim. Issue has been joined, but never brought to trial.

JOHN F. BOYER	}	No. 8056.
<i>vs.</i>		S. H. DWINELLE, <i>for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO, AND FUND COMMISSIONERS.		HAIGHT & HOLLADAY, <i>for Defendant.</i>

Complaint filed April 18, 1860, to quiet title to four 50 vara lots on South Beach, Block No. 2, bounded by Main, Bryant, and Spear streets. Answer filed, disclaiming as to all but the two lots on Bryant street, and not laid out on the map. Amended complaint filed, claiming sixty-eight feet nine inches on Bryant street, by one hundred and thirty-seven feet six inches deep. Issue joined, but never tried.

LOUIS E. RITTER	}	No. 8275.
<i>vs.</i>		SAUNDERS & CAMPBELL, <i>for Plaintiff.</i>
CITY AND CO. AND FUND COMMISSIONERS.		HAIGHT & HOLLADAY, <i>for Defendants.</i>

Complaint filed Sept. 1, 1860, to quiet title to southeast half of 100 vara lot, No. 313. Plaintiff claims under Sheriff's sale, and avers that though not within the boundaries laid down in the Water Lot Act, it is in fact a water lot. Issue joined and transferred from Twelfth District Court for trial. Case No. 8276, was brought to quiet title to the other half of same lot.

JOHN BENSON	}	No. 8347.
<i>vs.</i>		WHITCOMB, PRINGLE & F. <i>for Plaintiff.</i>
CITY & CO. OF SAN FRANCISCO		S. W. HOLLADAY, <i>City and County Att'y.</i>

Complaint filed Oct. 22d, 1860. Suit to recover the sum of \$21,800 on one of the certificates issued by the Court of Sessions in payment of the Portsmouth Square lot. Pending on Demurrer.

JOHN DUNN	}	No. 8676.
<i>vs.</i>		PEARKE & WATSON <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		HAIGHT & HOLLADAY, <i>for Defendant.</i>

Complaint filed August 18, 1855, in the Superior Court, No.

4529. Action brought to recover \$9,000 for grading certain streets in San Francisco. Judgment was rendered against the city for \$3,325, from which an appeal has been taken.

TWELFTH DISTRICT COURT.

PEOPLE EX REL. LATIMER & WIFE	} No. 204.
<i>vs.</i>	
	} E. W. F. SLOAN, <i>for Plaintiff.</i>
MAYOR AND COMMON COUNCIL.	
	} S. A. SHARP, <i>for Defendants.</i>

Petition filed June 17, 1854, for a mandamus to compel defendants to pay plaintiffs the sum of \$8,482 25, damages assessed to the property of plaintiff, for opening Merchant street between Montgomery and Sansome streets. Application denied. (See No. 314, below.)

O. C. PRATT	} No. 215.
<i>vs.</i>	
	} PRATT, <i>Attorney per se.</i>
CITY OF SAN FRANCISCO.	
	} HOLLADAY, <i>City and County Attorney.</i>

Complaint filed July 18, 1854. Suit in ejectment for two 50 vara lots on the west of Washington Square. Issue joined, but never tried. Transferred to the Fourth District Court by Judge Campbell.

LATIMER & WIFE	} No. 314.
<i>vs.</i>	
	} E. W. F. SLOAN, <i>for Plaintiffs.</i>
CITY OF SAN FRANCISCO.	
	} SHARP, <i>City Attorney.</i>

This cause was brought for the same purpose, though in a different form, as case No. 204. (See Sup.)

W. L. CHRYSTER	}	No. 850.
vs.		A. M. HESLEP, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		LORENZO SAWYER, <i>for Defendant.</i>

Complaint filed Nov. 7, 1854, to recover \$8,582 on city warrants. Judgment for defendants for costs. Appeal papers filed.

WM. B. BOURNE	}	No. 1067.
vs.		HAGAR & SHARP, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		SAWYER, <i>City Attorney.</i>

Complaint filed Dec. 18, 1854. Action to recover \$3,184 50, on a certain bill audited and allowed for grading. Demurrer of defendant overruled, with leave to file an amended answer, but no amended answer filed.

J. L. WETMORE	}	No. 1176.
vs.		B. S. BROOKS, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		SAWYER & PEYTON, <i>for Defendant.</i>

Complaint filed Jan. 11, 1855, to recover the sum of \$125,000, for work, labor, and materials furnished for grading certain streets, and on an alleged accounting had. Pending on demurrer to amended answer.

S. C. HASTINGS	}	No. 1696.
vs.		SLOAN & LOVE, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		

Complaint filed April 21, 1855, in ejectment, to recover two 50 vara lots, bounded on the south, west, and north, by Union, Powell, and Filbert streets. No summons issued.

S. M. TIBBITTS	}	No. 1758.
<i>vs.</i>		BRISTOL & SPENCER, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		BAILIE PEYTON, <i>for Defendant.</i>

Complaint filed May 3, 1855, to recover \$6,550 for drugs and medicines furnished, and professional attendance as City Physician. Verdict for plaintiff on trial, but motion for a new trial granted. Notice of appeal filed.

SAMUEL BRANNAN	}	No. 1791.
<i>vs.</i>		GREGORY YALE, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		SAWYER, <i>City Attorney.</i>

Complaint filed May 8, 1855, to recover \$5,500 rent of hall for the use of the different military companies. Judgment for defendant on demurrer, with leave to amend, but no amended complaint filed.

LEWIS H. THOMAS	}	No. 1878.
<i>vs.</i>		HOGG & WILSON, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		SAWYER, <i>City Attorney.</i>

Complaint filed Jan. 1, 1855, to restrain defendants from selling water lots No. 329, 330, claimed by plaintiff to pay assessments for grading Mission street. Injunction served, and answer filed, but no further proceedings.

JOHN TRUEBODY	}	No. 1932.
<i>vs.</i>		ANNIS MERRILL, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		

Complaint filed June 16, 1855, for the same purpose as in case No. 1878, lot situated on the northwest corner of Powell and Washington streets, No. 158. Undertaking on injunction filed.

J. B. THOMAS.	}	No. 1937.
vs.		
COUNTY OF SAN FRANCISCO.		BATES & LAWRENCE <i>for Plaintiff</i> .

Complaint filed June 20, 1855, to recover \$68,200, for the use and occupation of lot No. 51, on Portsmouth Square. Summons never issued.

F. E. PREVEAUX	}	No. 1944.
vs.		
CITY OF SAN FRANCISCO, ET AL.		JOHN REYNOLDS, <i>for Plaintiff</i> .

Complaint filed June 22, 1855, to restrain sale of lot No. 159. Injunction issued, and demurrer filed.

N. T. CARRYL	}	No. 1968.
vs.		
CITY OF SAN FRANCISCO, ET AL.		ANNIS MERRILL, <i>for Plaintiff</i> .

Complaint filed June 27, 1855. Suit to restrain sale of lot No. 118. Undertaking on injunction filed.

EDMUND RANDOLPH	}	No. 2370.
vs.		
CITY OF SAN FRANCISCO.		BENHAM & MARSHALL, <i>for Plaintiff</i> . PEYTON, <i>for City</i> .

Complaint filed Nov. 28, 1855, to recover some compensation (to be fixed by the Board of Supervisors) for services as Chairman of the Board of Examiners appointed under the Act of May 7, 1855. Demurrer filed, but never argued.

JACOB FORREST	}	No. 2437.
vs.		R. R. PROVINCES, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		PEYTON, <i>City Attorney.</i>

Complaint filed Dec. 27, 1855, to recover \$10,000 damages suffered by plaintiff by reason of a change made in the grade of Sacramento street between Stockton and Powell streets. Judgment for defendant on demurrer, and notice of appeal filed.

B. H. MUNSON	}	No. 2593.
vs.		B. S. BROOKS, <i>Plaintiff's Attorney.</i>
CITY OF SAN FRANCISCO.		LORENZO SAWYER, <i>for City.</i>

Complaint filed March 30, 1855, in the Fourth District Court, and transferred Feb. 14, 1856. Action for \$9,808 78, for work, labor, and materials furnished, and on an accounting had therefor. Issue joined, but cause never tried.

J. & M. PHELAN	}	No. 2708.
vs.		J. G. BALDWIN, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		PEYTON, <i>City Attorney.</i>

Complaint filed April 24, 1856. This case and Nos. 2709, 2710, 2711, 2717, 2721, 2750, and 2769, were all brought about the same time, by J. G. Baldwin, attorney, to recover the amounts of certain warrants, particularly set out in the schedules attached to the complaint, on file in each case. Judgment was entered on demurrer against the plaintiffs in all the cases, and that of Edward Martin appealed to the Supreme Court, where the decision of the court below was affirmed. (See 16 Cal. R. 285.

DAVID SCANNELL	}	No. 2903.
vs.		McDOUGALL, A. & S. for Plaintiff.
CITY OF SAN FRANCISCO.		H. H. BYRNE, <i>City Attorney</i> .

Complaint filed June 30, 1856. Action to recover \$11,768, for services rendered as Sheriff. Complaint amended in 1857, making city and county defendant, and cause referred to S. H. Wilson, Esq.

JOHN SATTERLEE	}	No. 3447.
vs.		GEO. J. WHELAN, for Plaintiff.
CITY AND COUNTY.		H. H. BYRNE, for City.

Complaint filed Jan. 15, 1857, to recover \$4,000 salary as Judge of the Superior Court. Dismissed, subject to a stipulation which cannot be found on file.

JAMES O'CALLEGHAN	}	No. 3920.
vs.		McDOUGALL A. & S. for Plaintiff.
CITY AND CO. OF SAN FRANCISCO.		F. P. TRACY, <i>City and County Attorney</i> .

Complaint filed May 22, 1857, to recover \$2,435 80, for work, labor, and materials, furnished and performed by plaintiff, for and at the request of defendant. Issue joined, but never brought to trial.

CHARLES L. TIFFANY	}	No. 4078.
vs.		WHITCOMB, P. & F. for Plaintiff.
CITY AND CO. OF SAN FRANCISCO.		

Complaint filed June 23d, 1857, to recover \$1,900 on drafts issued by order of the Board of Supervisors, and audited by the Auditor. Summons not returned.

R. H. PEARSON	}	No. 5688.
<i>vs.</i>		CAMPBELL & TURKE, <i>for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO.		TRACY, <i>City and County Attorney.</i>

Complaint filed August 20, 1858, to recover \$14,800, for grading certain streets, particularly set out in the complaint. Demurrer filed, but never argued.

LOUIS E. RITTER	}	No. 6063.
<i>vs.</i>		J. B. HART, <i>for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO.		TRACY, <i>City and County Attorney.</i>

Complaint filed January 24, 1859, to recover the sum of \$1,700 on a draft, issued by order of the Board of Supervisors, in payment of the rent of building by said Board, from the assignor of plaintiff. Demurrer sustained, with leave to amend, but amended complaint never filed.

S. C. HASTINGS.	}	No. 6208.
<i>vs.</i>		SHAFTER, P. & H. <i>for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO.		HOLLADAY, <i>City and County Att'y.</i>

Complaint filed March 7, 1859. Action on a judgment by default, rendered in Solano County, against the Board of Supervisors of the County of San Francisco, for \$2,006, with interest at 3 per cent. per month, from April 17, 1854. Judgment for defendant on appeal affirmed, but re-hearing granted, and now pending.

LUCAS, TURNER & CO.	}	No. 6639.
<i>vs.</i>		BALDWIN & BOWMAN, <i>Plaintiffs' Attorney.</i>
CITY OF SAN FRANCISCO.		PEYTON & HAIGHT, <i>for City.</i>

Complaint filed Oct. 25, 1855, in Superior Court No. 4719.

Suit on warrants for \$100,000, issued to J. L. Wetmore, and assigned to plaintiff on a contract for grading, planking, and sewerage Powell from Washington to Bay street. Referred to S. H. Dwinelle, Esq.

TRUSTEES FIRST BAPTIST CHURCH	}	No. 7129.
<i>vs.</i>		PORTER & SAWYER, <i>for Plaintiffs.</i>
JONATHAN HUNT, TAX COLLECTOR.		HOLLADAY, <i>City and County Attorney.</i>

Complaint filed January 13, 1860. Action to recover \$266 70 taxes on church property, situated on Washington street, paid under protest. Judgment for defendant in District Court, and cause now pending on appeal.

JAMES W. MORSE	}	No. 7425.
<i>vs.</i>		E. B. MASTICK, <i>for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO, ET AL.		HOLLADAY, <i>City and Co. Att'y.</i>

Complaint filed April 10, 1860. This suit, and Nos. 7426 and 7427, were brought to recover three undivided interests in the lot on Portsmouth Square, formerly sold to the Court of Sessions. A separate answer was filed by the City and County, denying all claim to the premises.

D. P. BELKNAP, ADMINIST'R, &C.	}	No. 7469.
<i>vs.</i>		WM. LEOWY, <i>for Plaintiff.</i>
H. W. BYINGTON, ET AL.		HOLLADAY, <i>City and County Attorney.</i>

Complaint filed April 10, 1860. Ejectment to recover part of Market Gore, bounded by Market, Pine, and Front streets. Issue not yet joined. Case No. 7470, was brought to recover the rest of the same gore, and now stands in the same position.

JAMES R. TRAVERSE	}	No. 8126.
vs.		G. W. TYLER, <i>for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO.		HOLLADAY, <i>City and Co. Attorney.</i>

Complaint filed Nov. 6, 1860, to recover \$2,500 damages to plaintiff's horses in falling through the planking of Jackson street. Pending on demurrer to complaint.

JAMES PHELAN	}	No. 8287.
vs.		CROCKETT & CRITTENDEN, <i>for Plaintiff.</i>
CITY AND CO. OF SAN FRANCISCO.		HOLLADAY, <i>City and Co. Attorney.</i>

Complaint filed June 16, 1855, in the Superior Court, No. 4343, by S. L. Burritt, attorney at law. Action on county scrip issued by the Court of Sessions in payment for the Portsmouth Square lot. The plaintiff recovered judgment for the amount claimed in the Superior Court, which, on appeal, was reversed by the Supreme Court, with costs. (See 6 Cal. 531.) Execution was issued and returned satisfied. In 1859, Crockett and Crittenden filed an application to be substituted as attorneys, and asking permission to file a new complaint, and to amend the judgment, so as to conform to the Remittitur of the Supreme Court. This application was granted by Judge McKee, sitting in the Fourth District Court, and an amended complaint filed. A demurrer was filed, the case transferred to the Twelfth District Court, where, upon argument, the demurrer was sustained, and a notice of appeal filed April 5, 1861. Seven other cases were commenced in the Superior Court upon the same subject matter, viz.: Nos. 4350, 4359, 4360, 4398, 4399, 4400, 4541, and 4599. Execution was issued in all these cases for defendants' costs and returned satisfied, and thus they stand awaiting the result of the present proceedings in *Phelan v. City and County*.

The amounts involved in these cases are respectively as follows :

12th.	No. 8287,	\$5,000,	In't. at 3 per ct. per an. from June 20, 1850.						
Sup.	" 4399,	1,500,	" " " " " " " "	"	"	"	"	"	"
"	" 4359,	20,000,	" " " " " " " "	"	"	"	"	"	"
"	" 4398,	1,000,	" " " " " " " "	"	"	"	"	"	July 1, 1851.
"	" 4350,	1,000,	" " " " " " " "	"	"	"	"	"	"
"	" 4360,	8,000,	" " " " " " " "	"	"	"	"	"	"
"	" 4361,	11,000,	" " " " " " " "	"	"	"	"	"	"
"	" 4599,	15,000,	" " " " " " " "	"	"	"	"	"	"
"	" 4541,	9,000,	" " " " " " " "	"	"	"	"	"	"

COUNTY COURT.

HUGO CORRENS	}	No. 1061.
vs.		
CITY OF SAN FRANCISCO.		TRACY, <i>for Defendant.</i>

In this case the papers on file show a judgment for plaintiff in the sum of \$200, damages sustained by his horse breaking through the planking on Clay street. An appeal was taken to the County Court, but afterwards dismissed by stipulation, leaving the judgment in the Justice's Court to stand.

EDWARD MINTURN	}	No. 2147.
vs.		
E. W. BURR, ET AL.		McDOUGALL & SHARP, <i>for Plaintiff.</i>
		HOLLADAY, <i>City and Co. Attorney.</i>

This is a case of forcible entry and detainer, to recover lot bounded by Pine, Front and Market streets. It was appealed by defendants from Justice's Court to County Court, where the plaintiff was non-suited. On appeal to the Supreme Court this judgment was reversed and cause remanded for new trial.

UNITED STATES CIRCUIT COURT.

C. A. DAVIS, ET AL.	}	No. 16.
vs.		HALL McALLISTER, <i>for Plaintiffs.</i>
LOUIS TEAL, TAX COLL'R.		J. R. HACKETT, <i>City Attorney.</i>

Complaint filed July 27, 1855. In this case the plaintiff recovered judgment for \$4,050 66, with \$94 90 costs. The judgment is paid, though not satisfied of record.

NICHOLAS LUNING	}	No. 73.
vs.		S. M. BOWMAN, <i>for Plaintiff.</i>
CITY OF SAN FRANCISCO.		HAIGHT, <i>for City.</i>

Complaint filed April 28, 1856. Action for \$28,694 61, on Comptroller's Warrants. Demurrer to complaint filed, and, upon argument, sustained, with leave to amend within a specified time, but no amended complaint filed, and final judgment for defendant.

PACIFIC MAIL S. S. CO.	}	No. 79.
vs.		McALLISTER, S. & R., <i>for Plaintiff.</i>
HAYES, SHERIFF, ETC.		HASTINGS & BYRNE, <i>for Defendant.</i>

Transferred from United States District Court. Complaint filed August 19, 1853, to recover \$12,428 37, collected for State and County taxes. Judgment for \$12,428 37, affirmed by the U. S. Supreme Court, with costs. Judgment paid, though not satisfied of record.

PACIFIC MAIL S. S. CO.	}	No. 82.
<i>vs.</i>		MCALLISTER, S. & R., <i>for Plaintiff.</i>
TEAL, TAX-COLLECTOR.		HACKETT, <i>City Attorney.</i>

To recover taxes paid under protest. Judgment for plaintiff in the sum of \$29,636, with costs, and paid, though not satisfied of record.

CORNELIUS VANDERBILT	}	No. 116.
<i>vs.</i>		W. BARBER, <i>for Plaintiff.</i>
HAYES, SHERIFF, ETC.		

Complaint filed November 16, 1856, to recover \$15,000, money had and received by plaintiff to and for the use of defendant. Summons returned served, and no other papers on file.

CORNELIUS VANDERBILT	}	No. 117.
<i>vs.</i>		W. BARBER, <i>for Plaintiff.</i>
CITY & CO. OF SAN FRANCISCO.		

Complaint filed November 19, 1856, to recover \$15,000, for money had and received, etc. Summons returned served, and thus the case stands.

JAMES E. MUMFORD	}	TULLY R. WISE,
<i>vs.</i>		<i>for Plaintiff.</i>
JOHN R. JARBOE, CITY & CO. & COM'RS FUNDED DEBT		HOLLADAY,
		<i>City and Co. Att'y.</i>

Complaint filed November, 1860, to quiet title to 50-vara lot No. 639, on Sutter street, between Taylor and Mason.

SCHEDULE III.

JUDGMENTS OUTSTANDING AGAINST THE CITY, THE COUNTY, OR THE
CITY AND COUNTY OF SAN FRANCISCO,

APRIL, 1861.

COURT.	NO.	JOT. B'K.	IN WHOSE FAVOR.	AGAINST.	PRINCIPAL.	COSTS.
Sup'r.	5045	D 325	C. A. Eastman,	City,	\$ 568 50	
do	5181	" 330	J. W. McKenzie,	do	567 49	
do	5185	" 332	Owen Fallon,	do	1009 19	\$20 25
do	5191	" 333	F. C. Pomeroy,	do	561 52	
do	5232	" 342	R. Alexander,	do	175 00	13 00
do	5231	" 345	J. Eldredge,	do	374 24	
do	5214	" 347	F. Casse,	do	14 95	
do	5231	" 351	L. T. Grant,	do	213 36	
do	5208	" 358	D. H. T. Morse,	do	18 84	
do	5223	" 360	Nath. Gray,	do	68 85	25
do	5208	" 365	C. C. Jameson,	do	201 34	
do	5235	" 369	Wm. Patty,	do	543 00	19 75
do	5226	" do	Wm. Dunbar,	do	350 00	19 75
do	5277	" 379	Cheesborough,	do	14 71	
do	do	" 380	John Rock,	do	13 96	
do	5186	" do	do	do	15 19	

COURT.	NO.	JGT. B'K.	IN WHOSE FAVOR.	AGAINST.	PRINCIPAL.	COSTS.
Sup'r.	5186	D 381	Wm. Burke,	City	\$ 175 00	\$12 25
do	5187	" do	John Rock,	do	15 24	
do	5191	" 383	F. Casse,	do	14 49	
do	5231	" 384	Hayes,	do	13 61	
do	5235	" 385	P. Keating,	do	288 00	11 25
do	5249	" do	John Rock,	do	14 94	
do	5250	" 386	do	do	17 91	
do	5265	" 387	do	do	192 91	
do	5266	" do	do	do	175 00	12 00
do	5272	" 388	Wm. Burke,	do	14 75	
do	5245	" 441	J. W. McKenzie,	do	553 00	25 25
do	5250	" 525	G. A. Grant,	do	14 49	3 75
do	5265	" 526	do	do	192 32	2 75
do	5297	" 527	do	do	11 58	
do	5272	" 357	J. M. Merrill,	do	350 00	12 25
do	5297	" do	do	do	350 00	12 25
do	5249	" 370	C. Ridout,	do	116 66	19 75
do	5174	E 45	H. W. Seale,	do	58,611 39	240 25
4th D.	5624		H. Richardson,	do	4250 00	4 25
do	6923	D 509	Com'rs F'd'd Debt,	City & Co.,		118 50
do	6129	" 727	J. D. Musgrove,	County,	460 00	18 75
do	7243	" 609	James Lang,	City & Co.,	554 00	35 25
do	7318	" 614	D. J. Tallant, et al.,	do		254 50

COURT.	NO.	JGT. B'K	IN WHOSE FAVOR.	AGAINST.	PRINCIPAL.	COSTS.
4th D.	7318	D 663	Com'rs F'd'd Debt,	City & Co.,	25,200 00	
do	6550½		James Haslett,	City,	43 80	
12th	1979	A 678	John Wilson,	County,	2671 09	307 50
do	4743	B 666	H. M. Naglee,	City & Co.,	360 00	14 25
do	26	" 869	E. Heydenfeldt,	City,		96 65
Co'ty,		123	R. B. Monks,	City & Co.,	125 00	27 75
do		169	G. H. Ensign,	do	150 00	28 35
do		169	Richard Parr,	do	150 00	28 35
do		192	E. J. Hart,	do	131 25	22 75

JUDGMENTS IN FAVOR OF THE CITY, THE COUNTY, OR THE CITY AND
COUNTY OF SAN FRANCISCO.

APRIL, 1861.

COURT.	NO.	JGT. B'K. IN WHOSE FAVOR.	AGAINST.	PRINCIPAL.	COSTS.
Sup'r.	361		City,	Kelly et al.,	Reasonable costs.
do	3449		do	Argenti,	\$53 50
do	3452	C 285	do	Levi Parsons,	325 50
4th D.	6129	D 727	County,	J. D. Musgrove,	\$460 00 18 75
12th	68	A 68	City,	W. L. Chryster,	275 14
do	310	C 735	do	J. W. James,	91 25

SCHEDULE IV.

CITY SLIP LITIGATION.

INTRODUCTION.

The so-called City Slip property is bounded by Sacramento, Davis, Clay and East streets.

It was reserved by the Common Council as a "public dock," by the terms of section 8, Title 4, of the Ordinance "to revise, codify and amend the general ordinances of the city of San Francisco, and to reduce the same to one ordinance," as follows :

"SEC. 8. All the space of land and water lying between Clay street and Sacramento street, and between Davis street and the deep waters of the Bay, as laid down on the public maps or plans of the city, is set apart and dedicated to the public use, as a free public dock, for ships and other vessels. *Provided*, notwithstanding, that nothing herein contained, shall prevent the Common Council from amending, altering or annulling this grant." (City Manual, p. 62.)

The Common Council afterwards made provision for a survey and sale of the property, by the Ordinance No. 481, approved December 5, 1853. By the terms of this ordinance the Mayor and Joint Committee on Land Claims were authorized and required to sell at public auction, after ten days' notice in three daily newspapers, to the highest bidder, at such time and place as they might think advisable, the city slip property, (particularly describing it,) and to order it re-surveyed for that purpose.

Payments were to be made as follows: Twenty-five per cent. of the net proceeds on the day of sale, in cash, or State indebtedness, to be paid to the State in accordance with the terms of the Act of March 26, 1850; fifty per cent. in sixty days thereafter, in cash, or City Warrants issued on or after May 1st, 1851; and the balance four months after date of sale, in cash, or three per cent. City Scrip, issued prior to May 1, 1851, and remaining unfunded. On payment of the first instalment the Mayor was required to give a bond, conditioned that upon payment of

the whole purchase price the city should give a deed for the lot, or lots, purchased; and upon such payment of the whole sum, the Mayor was required to give deeds to the parties lawfully entitled to the same. The last section repeals the eighth section, above quoted, of the ordinance to revise the general ordinances. (See p. 200, Ord. and Res. of San Francisco, 1853-54.) This ordinance passed the Board of Aldermen by a competent majority; but the Board of Assistant Aldermen at that time consisted of seven members only, one having resigned and the vacancy not having been filled, of whom the ordinance received four votes only in its favor to three against it.

The sale took place, pursuant to the terms of the ordinance, on the 26th of December, 1853, and the lots, numbering 122, were struck off for the sum of \$1,193,750. (See Note IV. App.) Of this amount \$735,840 74 were paid to the Mayor and Joint Committee under the ordinance, leaving \$457,909 26 still unpaid.

By the Act of April 26, 1858, (322, St. 1858,) "to authorize the Treasurer of the City and County of San Francisco to execute certain Deeds, and cancel certain Claims," the Treasurer was authorized to receive from the purchasers, or their assigns, at the sale of December 26, 1853, any sum or sums remaining unpaid; such payments to be made in cash, or unpaid judgments against the city, or bonds of the city, or of the city and county, or genuine Comptroller's Warrants, issued on or after May 1, 1851, and remaining unfunded, and unfunded three per cent. city scrip, issued prior to May 1, 1851, and to cancel such scrip, warrants, or other evidence of indebtedness, and preserve the same in the archives of the city and county. Upon the receipt of the sums due, the Treasurer was required to give a bargain and sale deed to the purchaser or his assigns, which should convey all the right, title and interest of the city to the land, and be *prima facie* evidence of title and right of possession in the grantee. The time for making payments and delivering deeds was limited by the Act to the 1st of July, 1859. Under the provisions of this Act the sum of \$141,424 26 was paid.

This Act was amended by the Act of April 6, 1860, (157, St. 1860,) so as to make the Treasurer, Auditor and Finance Committee of the Board of Supervisors a committee to examine and pass upon the genuineness of the warrants and scrip offered in payment, and extending the time to and including July 1, 1860. The sum of \$59,350 was paid in under this amendment; \$257,135 still remaining unpaid. Since the sale the purchasers have had full and perfect possession of the property wherever they chose to avail themselves of it.

At the sale of the State title, October 10th, 1855, the whole of the State's interest was struck off at once, at \$50 for each lot, numbering

from 1 to 122 inclusive, for the benefit of the respective purchasers at the sale, and their assigns.

The litigation which has of late attracted so much attention, arises from an effort on the part of some of the purchasers to recover the sums paid in by them, on the alleged ground that the Ordinance No. 481, was not legally passed by the Board of Assistant Aldermen, and that consequently no consideration passed to the purchasers at the sale. The city government was then administered under the charter of 1851, and the clause relative to the passage of ordinances therein is as follows:— "Either Board may originate or amend any ordinance or resolution, and no ordinance or resolution shall be passed unless by a majority of all the members *elected* to each Board." (Sec. 2, Art. III., p. 359, St. 1851.) It is admitted that at the time of the passage of this ordinance one Assistant Alderman had resigned, and that of the seven remaining members only four voted in its favor. The question was first mooted in the case of the city against Kelsey Hazen, (5 Cal. R. 169,) brought to enforce payment of defendant's note given in payment for lots 79 and 80, and the Supreme Court decided in favor of the defendant. Afterwards in the suit of Holland *v.* The City, (7 Cal. R. 361,) ordinance No. 493 was offered in evidence, as confirming ordinance No. 481. This ordinance was duly passed on the day of the sale, and provided for the payment, out of the proceeds of the sale, of \$185,000 to certain wharf companies and William E. Dennis, who claimed that they would be damaged by the filling in of the slips, and threatened the city with legal proceedings unless some compensation should be made to them. The Supreme Court was divided as to the effect of this ordinance, Justices Burnett and Terry holding that it confirmed ordinance No. 481, and Chief Justice Murray dissenting. This doctrine was reversed, at the last October Term, by the decision in the McCracken case, wherein it was held that purchasers might recover the amounts paid in, on cancellation of their deeds and quit-claiming to the city.

Such is a brief view of the city slip property, and the litigation growing out of the same. A more minute history of each particular suit will be found on the following pages. The suits number 44 in all. Some have simply been commenced, but no summons issued; in others issue has been joined, while a still larger number have been stipulated to abide the decision in one case, that of McCracken *v.* The City, wherein a general judgment was rendered in the Twelfth District Court for defendant, and on appeal, reversed by the Supreme Court. (See 16 Cal. R. 591.) In pursuance of that decision thirty-one cases in the Twelfth District Court, (see stipulation marked Note III. appendix,) and two in the Fourth District Court, were referred to S. H. Dwinelle, Esq.,

to report a judgment in each, the amounts of which will be found stated in each case. Two of the cases, however, have not yet been tried.

JOHN McCracken,	} 12th District Court, No. 2424.
vs.	
THE CITY OF SAN FRANCISCO.	
	} WHITCOMB, PRINGLE & FELTON, <i>for Plaintiff</i> .
	} F. M. HAIGHT, <i>for City</i> .

Complaint filed and summons issued December 24th, 1855.

The first count of the complaint alleges the sale of the city slip property, (describing it) in pursuance of an ordinance purporting to have been passed by the defendant aforesaid, and published in the official newspapers as a legally passed ordinance; that plaintiff relying on the representations of defendant and her agents, attended said sale and bid off one lot (but complaint does not designate or describe the lot in any manner); that in consideration of said pretended sale, plaintiff on the 28th of December, 1853, paid the defendant, and defendant accepted on said consideration, the sum of \$2,100; but that said ordinance was wholly void and of none effect; that in fact no such ordinance was ever passed; that the sale was without authority; plaintiff received no consideration for the money paid as aforesaid, and is entitled to receive back said sums with interest.

The complaint also contains a second count for money had and received, to wit: the sum of \$2,100 by the said defendant, to and for the use of plaintiff, on the 26th of December, 1853, upon which an action had accrued to recover the same from the defendant with interest.

Attachment levied on city slip property, May 30th, 1856.

Answer by F. M. Haight, containing a general denial, filed September 9th, 1859.

Among the papers is found a stipulation to the following effect:— That defendant may file a general answer, and put in any defense under it pertinent to the case and consistent with the facts hereafter stated, as follows:—

That the cause be submitted on the same state of facts contained in the finding in the case of *Gulliver & French vs. The City*—except as to the amount sued for.

That the ordinance passed November 3d, 1852, found on page 62 of the Manual of San Francisco, (see introduction) setting aside the property in controversy as a "free public dock," &c., is admitted.

That the land described in the above ordinance, is the same ordered

to be sold by ordinance 481, and that the Companies and William E. Dennis, mentioned in ordinance 493, claimed they would be damaged by the filling in of the slips, and the sums mentioned therein were awarded to them in compensation therefor.

That the plaintiff shall have four months to file his statement on appeal, which shall consist of the finding in *Gulliver and French vs. The City*, and the additional facts herein mentioned.

Dated August 31st, 1859, and filed September 13th, 1859. Signed by Whitcomb, Pringle & Felton, for plaintiff, and Haight, for defendant.

Cause tried September 13th, 1859.

Judgment for defendant entered in the District Court, November 2d, 1859.

Judgment was at the same time entered in twenty-nine cases under the following stipulation:—

“It is agreed that in all these causes a general judgment may be entered in open Court, as the Court may decide, and no special finding need be filed. On the submission of the causes, a jury was expressly waived by both parties, September 10th, 1859.”

F. M. HAIGHT, *for Defendant*,

WHITCOMB, PRINGLE & FELTON,

Attorneys for Plaintiff.

The cases referred to are the following, viz:—McCracken, Buckley, Crowell, Whitstead, Hoff, Caro, Sparks, Bideau, Jr., Peyre, Smiley, Johnson, Chambers, Whipple, Wolga, Schroeder, Schefer, Perry, Lawrence, Lyles, McDonald, Miller, Werthman, Carter, Reed, Grogan, Jessup, Crane, Sharon, and Wells.

Filed November 2d, 1859.

The statement on motion for new trial sets out the following facts:—

The ordinance of November 3d, 1852, p. 62 of City Manual, (see introduction,) dedicating the property to “public use as a free public dock.”

The ordinance No. 481, (see introduction.)

That at the time of the passage of ordinance 481, the Board of Assistant Aldermen consisted of seven members, one having resigned, and that the ordinance received only four votes in its favor to three against it. That in the Board of Aldermen it received the requisite number of votes, and was duly signed by the Mayor December 5th, 1853.

That on the 26th day of December, 1853, Ordinance No. 493 was duly passed and approved; that the Wharf Companies and William E. Dennis, mentioned in said ordinance, claimed they would be damaged by the filling in of the slips, and the sums therein mentioned were

awarded to them in satisfaction of damages. (This evidence was excepted to by defendant, overruled, admitted, and exception taken.)

That after the passage of said ordinance, on the 26th of December, 1853, the Mayor and Joint Committee on Land Claims, which Committee consisted, besides the Mayor, of two members from each Board of the Common Council, proceeded to sell the land in accordance with Ordinance No. 481. That said sale purported to be a sale by the City of San Francisco. That the Mayor and Joint Committee on Land Claims, and nearly all the members of the Common Council were present, and that no person whatever protested against or objected to the sale. That the prices were favorable to the city, and that since that time the property has decreased in value, and at the time of suit brought, was not worth more than one-half of the price brought at the sale.

That at said sale plaintiff bid off lot No. 110, for \$8,400. That on the 26th of December, 1853, the sum of \$2,100 was paid to Selover & Sinton, either in cash or State Warrants, who afterwards, on the 27th of December, paid the same to the Mayor and Joint Committee on Land Claims.

That on the 27th day of December, 1853, a bond was delivered to the plaintiff and accepted by him, signed by the Mayor, and sealed with the seal of the city, conditioned for the conveyance of the lot in question, by the city, on payment of the purchase money.

That one Smyth Clarke was the Mayor's Clerk, and before and after said payment, was authorized by the Mayor and Joint Committee on Land Claims, to collect the monies paid on account of said sale. That on the 21st day of April, 1854, he made a report of the monies received from the sale of the city slip property, which report was made in the name of the Land Committee, said Clarke being the author thereof, and said report was accepted by the Common Council, after being referred to the special committee on Land Claims.

That on the journal of the City Treasurer appears the following entries :

"Received from Smyth Clarke, Secretary of Land Committee, for sale of city property, various notes of hand, amounting to one hundred and ninety thousand seven hundred and eight dollars and fifty-three cents. October 16th, 1854."

"November 28th, 1854.

"Received from Smyth Clarke, Secretary of Land Committee, for sale of city property, in various funds, thirty-nine thousand dollars."

"September 18th, 1854.

"Cash Dr. to City Property.

"For amount received from Land Committee, as part of proceeds of sale of city slip property, \$360,229.26."

" March 2d, 1854.

"Cash Dr. to City Property.

" Received from C. K. Garrison, Charles D. Carter and others, Committee on Land Claims, being part of proceeds from sale of city slip property, twelve thousand dollars. (\$12,000.)"

That the different City Treasurers received at various times from the proceeds of these sales, \$630,426.05.

That prior to September 29th, 1854, the balance of funds remaining in the hands of Smyth Clarke, were attached at the suit of Argenti and others against the city, and on that day, the Common Council, by Joint Resolution, No. 434, (which is copied in full in the statement,) released the Land Committee, and each member thereof, from all responsibility touching the funds so remaining in the hands of said Clarke.

That said Clarke continued to act as Secretary of the Land Committee, until the end of the term of the Mayor and Common Council; that no objection was ever made to his so acting, and that payments were credited to him in the reports of the City Treasurer. That said Clarke succeeded Charles D. Carter as such Secretary.

That on the 10th of January, 1854, the Common Council passed an ordinance, (No. 505,) which was duly signed, etc., directing the Land Committee to pay members and officers of the Police, for the months of November and December, 1853, and to use the monies in their hands arising from the sale provided for in Ordinance No. 481, and such payments were so made. (Ord. and Res. p. 229.) Also, that by Joint Resolution, No. 383, (Ib. 477,) passed January 9th, 1854, the Common Council authorized said Committee to pay the judgment of one John E. Body against the city, which judgment was so paid out of the same funds.

That the report hereinbefore referred to, dated April 21st, 1854, was made in pursuance of the terms of Joint Resolution No. 400, passed April 7th, 1854. (Ib. 485.)

That on the 10th of April, 1854, the Common Council passed Joint Resolution No. 405, (Ib. 488,) directing the Treasurer to pay to the State of California, out of the funds he had received, or might receive from the Land Committee, the portion of the receipts due to the State, and also, the outstanding warrants issued in settlement with the Clay, Central, Sacramento and California Street Wharf Companies.

That on September 13th, 1854, the Common Council passed Joint Resolution No. 431, (Ib. 501,) wherein it was recited that the city had sold property, being part of the property in question, to purchasers who had paid the greater part of the purchase price.

That on the 26th of March, 1851, the Legislature passed an Act "to provide for the disposition of certain property of the State." and on

the 5th of April, 1853, they passed an Ordinance, (No. 326, Ib. p. 50,) duly approved, accepting the grant therein contained, and all the conditions thereof.

That on the 16th day of March, 1854, the plaintiff having paid the last installment of the purchase price, the Mayor executed and delivered a deed, or what purported to be a deed, without warranty, of the premises purchased at said sale, which was signed by the Mayor and authenticated by the seal of the city.

That large sums of money have been paid by the purchasers at the sale of December 26, 1853, in cash, and State and City Comptroller's warrants, and warrants issued under ordinance 493, to the Joint Committee, and also to the Treasurer; large portions of the former of which have been paid to the City Treasurer.

That the plaintiff entered into possession in March, 1854, and is now in possession, and has expended the sum of \$3,000 in improvements.

That prior to the suit plaintiff mortgaged his interest in said lot, and said mortgage is still outstanding and unpaid.

That about one week previous to the trial of this cause, plaintiff quit-claimed his interest in the lot, to a person cognizant of all the facts.

That at the time of said payment made by the plaintiff, the city was indebted in the sum of \$50,000 and upwards, over the annual revenue of the city, exclusive of the interest thereon, existing on the 15th of April, 1851.

That of the proceeds of said sale \$50,000 were paid to the State in State indebtedness, being 25 per cent. of the amount received at that time, and that \$60,000 of such indebtedness were attached in a suit against the city, in the hands of David S. Turner, then Treasurer, in whose hands said warrants still remain.

Stipulated to be a true and correct statement of the case, to be used on motion for new trial, and on appeal, Dec. 29, 1859.

Filed Dec. 31, 1859.

The cause was argued and submitted to the Supreme Court, October 6th, 1860, and judgment reversing the decision in the Court below rendered October 25, 1860. (See 16 Cal. R., p. 591.)

On the return of the case to the District Court it was referred to S. H. Dwinelle, Esq., and judgment for plaintiff entered April 8, 1861, for the sum of \$3,618 34, with interest from March 23, 1861, and costs, \$545. (Judgment Book "D," 316.)

JOHN PERRY, JR.	}	4th District Court, No. 5206. Transferred to 12th.
vs.		WM. F. GREENE, & WHITCOMB, P. & F., <i>for Plaintiff.</i>
THE CITY.		LORENZO SAWYER & HAIGHT, <i>for City.</i>

Complaint filed April 5, 1855.

The complaint in this case is in form the same as in *McCracken v. City*, but alleges the following payments: Dec. 30, 1853, \$6,550; Feb. 27, 1854, \$13,100; April 24, 1854, \$6,550. Second count for \$26,200, with interest. Complaint verified. Attachment levied on slip lots, and other city property.

Demurrer and answer filed June 16, 1855, by Sawyer, City Attorney.

The demurrer is to both counts of the complaint, on the ground that it does not state facts sufficient to constitute a cause of action.

The answer avers, on information and belief, first, that the said pretended sale was never made by virtue of any ordinance or authority of the city of San Francisco; that said pretended ordinance was never published by authority of said city; that the Presidents of the Boards of Aldermen had no authority to sign said ordinance; that it never received a majority of the votes in the Board of Assistant Aldermen; that the Mayor had no authority to sign it; that the Mayor and Joint Committee on Land Claims had no authority to sell said land, nor receive the money therefor; that neither defendant, nor any agent of the defendant, ever represented said ordinance to be valid as alleged, and specifically denies the said three several payments alleged.

Secondly, the answer denies that defendant ever received the sum of \$26,200, or any other sum, to and for the use of plaintiff, and that any action has accrued thereon.

Thirdly, the answer avers that defendant has no powers except such as are conferred by the Act of incorporation referred to in the complaint, and by virtue of said Act she has no authority to become the depository of money, or receive money, to and for the use of plaintiff, and that no person has power to receive money on her behalf.

Fourthly, the defendant alleges that at the time said indebtedness is alleged to have accrued, the city was, and had been, and still is indebted to an amount far greater than \$50,000, within the true meaning and intent of Art. III., Sec. 5, of the Act of incorporation, and by virtue of said debt, and said Act, said city had no power to incur any further debt, and any attempt to create said indebtedness at the time mentioned in said complaint was absolutely void.

Verified by William Sherman, Comptroller.

A second answer, being a general denial, filed by Haight, September 9, 1859.

Stipulation to abide the decision in the McCracken case, filed October 11, 1859. (See Note I., Appendix.) A second stipulation to the same effect, dated March 23, 1860, will be found on file. (See Appendix, Note II.)

General judgment entered November 2, 1859.

Referred to S. H. Dwinelle, Esq., by stipulation, December 5, 1860. (See Appendix, Note III.)

Judgment entered in favor of plaintiff, April 12, 1861, (Judgment Book E, 252,) for \$45,803 47, with interest from March 28, 1861, and costs of suit, \$434.

B. LAWRENCE, JR.	}	4th District Court, No. 5207. Transferred to 12th.
vs.		PRINGLE & FELTON, <i>for Plaintiff</i> .
THE CITY.		SAWYER & HAIGHT, <i>for City</i> .

Complaint filed April 5, and issue joined June 16, 1855.

The pleadings, proceedings, etc., in this case are the same as in the case of *Perry v. The City*, except the payments alleged are as follows: Dec. 30, 1853, \$4160; Feb. 27, 1854, \$3925.

Attachment levied on city slip lots and other property. Judgment entered (Judgment Book E, 253,) April 21, 1861, for \$13,762 07, with interest from March 25, 1861, and costs, \$435.

RICHARD N. JESSUP	}	4th District Court. Transferred to 12th, No. 2106.
vs.		PRINGLE & FELTON, <i>for Plaintiff</i> .
THE CITY.		SAWYER & HAIGHT, <i>for City</i> .

Complaint filed April 5, and issue joined June 19, 1855.

The pleading, stipulations, etc., in this case are exactly similar to those in the case of *Perry v. The City*, except that payments are alleged as follows: Dec. 30, 1853, \$12,650; Feb. 11, 1854, \$6,225; March 9, 1854, \$12,375; April 3, 1854, \$19,350.

Attachment levied on the slip lots and Market Gore. Judgment entered (Judgment Book I, 324) for \$86,391 04, with interest from March 25, 1861, and costs, \$435.

T. J. A. CHAMBERS	}	4th District Court. Transferred to 12th, No. 2120.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		SAWYER & HAIGHT, <i>for City.</i>

Complaint filed April 5, and issue joined June 16, 1855.

In this case the pleadings, proceedings and stipulations are same as in *Perry v. The City*. Payments on three lots are alleged as follows:— Dec. 30, 1853, \$12,300; April 27, 1854, \$12,300.

Attachment levied on slip lots. Judgment entered (Judgment Book D, 421) June 6, 1861, for \$42,561 37, with interest from June 1, 1861, and \$435 costs.

EDWARD WHITSTEAD	}	4th District Court. Transferred to 12th, No. 2123.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		SAWYER & HAIGHT, <i>for City.</i>

Complaint filed April 5, 1855.

The pleadings, etc., in this case are same as those in the foregoing cases, except the complaint sets out the purchase of one lot and payments as follows: Dec. 30, 1853, \$2,025; Feb. 27, 1854, \$4,050; April 27, 1854, \$2,025.

Attachment levied on slip lots. Judgment entered (Judgment Book D, 315) for \$13,853 75, with interest from April 4, 1861, and costs, \$433 50.

EUGENE CROWELL	}	12th District Court, No. 2126.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		F. M. HAIGHT, <i>for City.</i>

Complaint filed and summons issued August 17, 1855. In this case there is no demurrer and answer put in by Sawyer, City Attorney, but the other pleadings, etc., are similar to the above. The complaint alleges the purchase of one lot, and the following payments: Dec. 30, 1853, \$2,812 50; Feb. 27, 1854, \$5,625; April 27, 1854, \$2,812 50.

Attachment levied on slip lots. Judgment entered (Judgment Book D, 322) for \$19,205 37, with interest from March 25, 1861 and costs, \$435.

ALEX. H. REED	}	4th District Court. Transferred to 12th, No. 2108.
vs.		PRINGLE & FELTON, <i>for Plaintiff</i> .
THE CITY.		SAWYER & HAIGHT, <i>for City</i> .

Complaint filed and summons issued April 6, 1855. The pleadings in this case are same as in *Perry v. The City*. Payments on two lots as follows: Dec. 30, 1853, \$4,200; Feb. 27, 1854, \$8,400; April 27, 1854, \$4,200.

Attachment on slip lots. Judgment entered (Judgment Book D, 310) for \$28,710 50, with interest from March 27, 1861, and costs, \$435.

C. E. S. McDONALD	}	4th District Court. Transferred to 12th, No. 2114.
vs.		PRINGLE & FELTON, <i>for Plaintiff</i> .
THE CITY.		SAWYER & HAIGHT, <i>for Defendant</i> .

Complaint filed and summons issued April 5, 1855. Pleadings, etc., same as in *Perry v. City*. Payments alleged on one lot as follows:— Dec. 30, 1853, \$3,562 50; Feb. 27, 1854, \$7,125; April 27, 1854, \$3,580.

Second count for \$14,250. Attachment levied on slip lots. Judgment entered (Judgment Book D, 312) for \$24,323 64, with interest from March 28, 1861, and costs, \$435.

ALDRICH SCHEPER	}	4th District. Transferred to 12th, No. 2116.
vs.		PRINGLE & FELTON, <i>for Plaintiff</i> .
THE CITY.		SAWYER & HAIGHT, <i>for Defendant</i> .

Complaint filed and summons issued April 5th, 1855. Pleadings and proceedings in this case are similar to those in *Perry v. The City*. Plaintiff alleges the purchase of one lot, and the following payments: December 30th, 1853, \$4,337 50; February 27th, 1854, \$8,675; April 27th, 1854, \$4,337 50.

Attachment levied on slip lots. Judgment entered (Jgt. Book D. 314) for \$29,640 78, with interest from March 27th, and costs, \$433 50.

ALBERT MILLER, ET AL.	}	4th District Court. Transferred to 12th, No. 2111.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiffs.</i>
THE CITY.		SAWYER & HAIGHT, <i>for City.</i>

Complaint filed April 11th, 1855; issue joined June 19th, 1855. Pleadings and proceedings in this case are complete as in *Perry v. The City*. Complaint alleges purchase of one lot, and payments as follows: December 30th, 1853, \$2,100; February 27th, 1854, \$4,200; April 27th, 1854, \$2,100.

Slip lots attached. Judgment entered (Jgt. Book D. 311,) April 8th, 1861, for \$14,340 39, with interest from March 25th, 1861, until paid, and \$433 50 costs of suit.

FREDERICK PEYRE	}	12th District Court, No. 2474.
<i>vs.</i>		WHITCOMB, PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		HAIGHT, <i>for City.</i>

Complaint filed January 17th, 1855; issue joined September 9th, 1859. The proceedings in this case are same as in *Perry v. The City*, except there is no answer or demurrer filed by Sawyer, City Attorney. Complaint alleges purchase of one lot and payments as follows: January 18th, 1854, \$4,387 50; February 27th, 1854, \$8,775; April 6th, 1854, \$4,387 50.

Attachment levied upon slip lots. Judgment entered (Jgt. Book D. 317,) April 8th, 1861, for \$29,985 91, with interest from March 28th, 1861, and costs, \$433 50.

EMERSON T. CRANE	}	12th District Court, No. 2102.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		HAIGHT, <i>for City.</i>

Complaint filed August 16th, 1855; issue joined September 9, 1859.

The pleadings, etc., in this case are complete as in *Perry v. The City*, with the exception that there is no demurrer or answer filed by Sawyer, former City Attorney. Plaintiff purchased two lots and paid as follows: December 30th, 1853, \$4,312 50; February 27th, 1854, \$8,625; April 27th, 1854, \$4,312 50.

Attachment levied on slip lots and a large amount of other city property. Judgment entered (Jgt. Book D. 309,) April 8th, 1861, for \$29,469 94, with interest from March 28th, 1861, and costs, \$435.

CHAS. D. CARTER	}	4th District Court. Transferred to 12th, No. 2109.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		SAWYER & HAIGHT, <i>for City.</i>

Complaint filed April 5th, 1855; issue joined June 16th, 1855. Pleadings, etc., same as in *Perry v. The City*. Five lots purchased at sale and payments made, on the 27th day of April, 1854, of \$42,250. Slip lots and other city property attached. Judgment entered (Jgt. Book D. 323,) for \$71,484 65, with interest from March 28, 1861, until paid, with costs, \$435.

T. J. L. SMILEY	}	4th District Court. Transferred to 12th, No. 2122.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		SAWYER & HAIGHT, <i>for City.</i>

Complaint filed April 5, 1855; issue joined June 16, 1855. Pleadings and proceedings similar to those in *Perry v. The City*. Payments on two lots alleged as follows: Jan. 6, 1854, \$4,083; Feb. 27, 1854, \$8,566; April 27, \$4,434.

Slip lots attached. Judgment entered (D, 424) June 6, 1861, for \$29,408 13, with interest from May 29, 1861, and \$435 costs.

S. B. WHIPPLE	}	4th District Court. Transferred to 12th, No. 2119.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		SAWYER & HAIGHT, <i>for Defendant.</i>

Complaint filed April 5, 1855; issue joined June 16, 1855. Proceedings and pleadings in this case same as in *Perry v. City*. Complaint alleges purchase of two lots and payments as follows: Dec. 30, 1853, \$6,375; Feb. 27, 1854, \$12,750.

Attachment levied on slip lots. Judgment entered (Judgment Book D, 420) June 6, 1861. for \$33,108 09, with interest from June 1, 1861, and \$435 costs.

JOHN JOHNSON } 4th District Court. Transferred to 12th, No. 2121.
vs. } PRINGLE & FELTON, *for Plaintiff*.
 THE CITY. } SAWYER & HAIGHT, *for City*.

Complaint filed April 5, 1855; issue joined June 16, 1855. This case is exactly similar to the case of *Perry v. The City*. Payments on two lots alleged as follows: Dec. 30, 1853, \$4,375; March 6, 1854, \$8,750.

Attachment levied on slip lots. Judgment entered June 6, 1861, (D. 422) for \$22,648 44, with interest from June 1, 1861, and \$435 costs.

THOS. W. LYLES } 4th District Court. Transferred to 12th, No. 2115.
vs. } PRINGLE & FELTON, *for Plaintiff*.
 THE CITY. } SAWYER & HAIGHT, *for City*.

Complaint filed April 5, and issue joined June 16, 1855. The pleadings, etc., in this case are same as in *Perry v. The City*. Payments on two lots alleged as follows: Dec. 30, 1853, \$4,175; Feb. 27, 1854, \$8,350; April 27, 1854, \$4,175.

Attachment levied on city slip lots. Judgment entered (Judgment Book D, 313) April 8, 1861, for \$28,530 04, with interest from March 28, 1861, and costs, \$433 50.

WM. C. HOFF } 4th District Court. Transferred to 12th, No. 2124.
vs. } PRINGLE & FELTON, *for Plaintiff*.
 THE CITY. } SAWYER & HAIGHT, *for City*.

Complaint filed April 5, and issue joined June 19, 1855. The pleadings, etc., in this case are same as in *Perry v. The City*. Payments alleged on two lots, as follows: Dec. 30, 1853, \$3,850; April 27, 1854, \$11,650. Slip lots attached. Amount claimed, with interest to March 1, 1861, \$26,234. This case was referred, but the referee has not yet reported judgment.

J. P. BUCKLEY } 4th District Court. Transferred to 12th, No. 2125.
vs. } PRINGLE & FELTON, *for Plaintiff*.
 THE CITY. } SAWYER & HAIGHT, *for City*.

Complaint filed April 5, 1855; issue joined June 16, 1855. The

pleadings, etc., in this case are same as *Perry v. The City*; payments on one lot, as follows: Dec. 30, 1853, \$2,100; Feb. 27, 1854, \$4,200; April 27, 1854, \$2,100. Attachment levied on slip lots. Amount claimed, with interest to March 1, 1861, \$14,289 91. Referred, but not yet tried.

LEWIS SCHROEDER, ET AL.	}	4th District Court. Transferred to 12th, No. 2117.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiffs.</i>
THE CITY.		SAWYER & HAIGHT, <i>for Defendant.</i>

Complaint filed April 5, 1855, and issue joined June 16, 1855. The pleadings, etc., same as in *Perry v. City*, except the purchase of three lots, and payments as follows: Dec. 30, 1853, \$6,400; Feb. 27, 1854, \$12,800; April 27, 1854, \$6,400. Slip lots attached. Judgment entered May 31, 1861, (D, 399) for \$43,754 20, with interest from March 28, 1861, and costs, \$435.

P. BIDEAU, JR.	}	12th District Court, No. 2447.
<i>vs.</i>		WHITCOMB, P. & F., <i>Attorneys for Plaintiff.</i>
THE CITY.		HAIGHT, <i>for City.</i>

Complaint filed January 3, 1856; issue joined September 9, 1859. No answer or demurrer filed in this case by Sawyer, former City Attorney. With this exception, pleadings same as in *Perry v. City*. Complaint alleges purchase of one lot, and payments as follows: Jan. 4, 1854, \$1,937 50; Feb. 27, 1854, \$3,875; April 11, 1854, \$1,937 50. Attachment levied on city slip lots. Judgment entered May 31, 1861, for \$13,240 43, with interest from April 2, 1861, and costs, \$435.

R. WERTHMAN	}	4th District Court. ¹ Transferred to 12th, No. 2110.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		SAWYER & HAIGHT, <i>for City.</i>

Complaint filed August 5, 1855; issue joined June 16, 1855. Pleadings and proceedings same as in *Perry v. The City*, except the allegation of the purchase of one lot, and payments as follows: Dec. 30, 1853,

\$2,200; Feb. 27, 1854, \$4,400. Slip lots and other property attached. Judgment entered June 6, 1861, (D, 419) for 11,423 49, with interest from May 29, 1861, and \$435 costs.

FRANCIS WOLGER	}	4th District Court. Transferred to 12th, No. 2118.
<i>vs.</i>		PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		SAWYER & HAIGHT, <i>for Defendant.</i>

Complaint filed April 7, and issue joined June 16, 1855. Pleadings, etc., same as in *Perry v. The City*. Complaint alleging purchase of one lot, and the payment of \$2,312 50, March 1, 1854. Slip lots attached. Judgment for \$4,100 65, entered May 31, 1861, (D, 400) with interest from March 3, 1861, and \$435 costs.

HERVY SPARKS	}	12th District Court, No. 2428.
<i>vs.</i>		WHITCOMB, P. & F., <i>for Plaintiff.</i>
THE CITY.		HAIGHT, <i>for City.</i>

Complaint filed Dec. 26, 1855, and issue joined Sept. 9, 1859. No demurrer or answer filed by Sawyer. Other pleadings, etc., as in *Perry v. The City*. Complaint alleges purchase of one lot, and payments as follows: Dec. 27, 1853, \$2,500; Feb. 27, 1854, \$5,000. Attachment levied on slip lots. Judgment entered June 6, 1861, (D, 423) for \$12,991 63, with interest from June 3, 1861, and costs, \$435.

M. CARO	}	12th District Court, No. 2319.
<i>vs.</i>		WHITCOMB, P. & F., <i>for Plaintiff.</i>
THE CITY.		HAIGHT, <i>for City.</i>

Complaint filed Nov. 2, 1855; issue joined Sept. 9, 1859. Pleadings, etc., same as in *Perry v. The City*, except that there is no answer or demurrer filed by Sawyer. Payments, on one lot, alleged as follows:—Dec. 27, 1853, \$1,887 50; Jan. 27, 1854, \$3,775; March 10, 1854, \$1,887 50. Slip lots attached. Judgment entered May 31, 1861, (D, 401) for \$12,282 51, with interest from April 4, 1861, and \$435 costs of suit.

GROGAN & LENT } 4th District Court. Transferred to 12th, No. 2107.
 vs. } PRINGLE & FELTON, *for Plaintiffs*.
 THE CITY. } SAWYER & HAIGHT, *for City*.

Complaint filed April 5, and issue joined June 16, 1855. Pleadings, etc., same as in *Perry v. The City*. Complaint alleges purchase of four lots, and payments as follows: Dec. 30, 1853, \$12,680; Feb. 27, 1854, \$5,637 74; May 2, 1854, \$1,234. Slip lots and other property attached. Judgment entered June 6, 1861, (D, 418) for \$33,931 29, with interest from May 30, 1861, and \$435 costs.

G. W. GREEN }
 vs. }
 THE CITY. }

The papers in this case are missing. It will be found among the cases referred to S. H. Dwinelle, Esq. Judgment entered April 12, 1861, (Judgment Book D, 321) for the sum of \$28,420, with interest from March 28, 1861, and costs, \$435.

H. J. WELLS } 12th District Court, No. 1534.
 vs. } H. J. WELLS, *Attorney per se*.
 THE CITY. } SAWYER & HAIGHT, *for City*.

Complaint filed April 6, 1855; issue joined June 19, 1855. The complaint in this case contains but one count for money had and received by defendant, to and for the use of plaintiff, as follows: Dec. 27, 1853, \$2,078; Feb. 28, 1854, \$3,950; the same being purchase money paid for a lot sold in pursuance of an ordinance purporting to have been passed by the Common Council, December 5, 1853, being ordinance No. 481, said lot being numbered 90. But that said ordinance is wholly illegal, and void, and incompetent to pass the title to said lot, wherefore plaintiff prays judgment for \$6,028, with interest from Feb. 28, 1854.

The answer, filed by Sawyer, former City Attorney, after a general denial, denies particularly that defendant ever received said sum or sums of money as alleged, or otherwise, and denies that plaintiff ever paid any money to defendant.

Defendant further avers that at the time said indebtedness is alleged to have accrued, the city was and had been indebted in a sum far exceeding \$50,000 over and above her annual revenue, within the intent and meaning of Art. 3, Sec. 5, of the Charter of 1851, and by reason thereof the city had no power to create or permit to accrue the alleged indebtedness, and is not liable therefor.

Demurrer alleges that complaint does not state facts sufficient to constitute a cause of action. Filed April 19, 1855.

The other proceedings are same as in the foregoing cases, before the referee. Slip lots attached. Judgment of the referee entered June 6, 1861, (D, 416) for \$10,438 45, with interest from June 1, 1861, and costs of suit, \$435.

WILLIAM SHARON	}	12th District Court, No. 1535.
vs.		ANNIS MERRILL, <i>for Plaintiff.</i>
THE CITY.		SAWYER & HAIGHT, <i>for City.</i>

Complaint filed April 6, 1855. The original complaint alleges that defendant is indebted to plaintiff in the sum of \$7,692 75, for money had and received to and for the use of plaintiff, in payment for lot No. 72, sold in pursuance of Ordinance No. 481, which ordinance plaintiff alleges to be void, and in the further sum of \$5,000 for money laid out and expended in improvements, etc.; that in consideration thereof defendant undertook to pay the plaintiff on demand the sum of \$12,692 75 with interest from Dec. 27, 1853; but though often requested, defendant refuses to pay said sum or any part thereof.

The amended complaint, filed June 16, 1855, shows that by virtue of a certain ordinance alleged to have been passed by the city, published in the official newspapers as a legally passed ordinance, signed by the Presidents of both Boards of Aldermen, approved by the Mayor, and represented to be a good and valid ordinance, the Mayor and Joint Committee on Land Claims were authorized to sell certain city property; that plaintiff attended at said sale and bid off lot No. 72; that his bid was accepted, and he made the following payments thereon, viz: Dec. 23, 1853, \$2,762 50; March 6, 1854, \$2,481 75; March 18, 1854, \$1,111; April 5, 1854, \$1,110. But plaintiff alleges said ordinance was wholly void and of no effect, and no title to said land passed by virtue of said sale, by reason whereof plaintiff became entitled to recover said sums, with interest from the said several times of payment.

The second count alleges that on the 5th of April, 1855, defendant

was indebted to the plaintiff in the sum of \$7,454 25, money had and received, and in the sum of \$3,630 laid out and expended for the use of defendant, and at her request; prayer for \$11,084, with interest. Not verified.

Answer filed June 25, 1855. The answer contains a demurrer on the ground that the facts alleged are insufficient to constitute a cause of action. Also denies specifically the allegations of the complaint and the payments alleged, particularly mentioning them. The fourth and fifth counts are same as the third and fourth counts in the answer filed by Sawyer, in *Perry v. The City*.

An answer was filed by Haight, September 9, 1859, after which the same proceedings have been taken as in the Perry case. Attachment levied on slip lots. Judgment entered June 6, 1861, (D, 417) for \$19,316 88, with interest from June 1, 1861, and \$435 costs of suit.

D. H. NEWHAUS & CO	}	12th District Court.
vs.		
THE CITY.		McDOUGALL, ALDRICH & SHARP.

Complaint filed and summons issued December 24, 1855. The allegations of complaint are of the same form as the Perry case, alleging purchase of lots Nos. 52 and 53, and the payment of \$16,850, on the 26th December, 1853, and during the months of January, February and March, 1854, praying judgment for that sum, with interest from the dates of payments. Amount claimed, with interest from March 1, 1854, to March 1, 1861, \$11,795.

CHAS. L. POPPE	}	12th District Court, No. 2431.
vs.		
THE CITY.		WILLIAMS, SHAFER & PARK, for Plaintiff.
		HAIGHT, for City.

Complaint filed December 26, 1855. No summons issued. The complaint contains but one count for money had and received, Dec. 25, 1855, which defendant refused to pay. The case was taken up and referred to S. H. Dwinelle, who reported judgment, entered May 31, 1861. (D, 404) for \$13,448 75, with interest from April 4, 1861, and \$435 costs.

WILLIAM SCHAD, ET AL.	}	12th District Court, No. 2426.
vs.		McDOUGALL, ALDRICH & SHARP, <i>for Plaintiff</i> .
THE CITY.		HAIGHT, <i>for City</i> .

Complaint filed and summons issued December 24, 1855. Complaint similar to that in *Perry v. The City*, alleging purchase of lot No. 70, and the payment of \$8,200, on or about December 26, 1853, and during the months of January, February and March, 1854. Judgment entered May 31, 1861, (D, 402) for \$13,939 36, with interest from April 5, 1861, and costs, \$435.

J. A. SCHMIDT, ET AL.	}	12th District Court, No. 2430.
vs.		McDOUGALL, ALDRICH & SHARP, <i>for Plaintiffs</i> .
THE CITY.		HAIGHT, <i>for City</i> .

Complaint filed December 26, 1855. No summons issued. Complaint similar to that of *Perry v. The City*, alleging purchase of lot No. 69, and the payment of \$8,850, on or about December 26, 1853, and during the months of January, February and March, 1854. Judgment entered May 31, 1861, (D, 403) for \$14,995 83, with interest from April 4, 1861, and \$435 costs.

GIOVANNI HERZO	}	12th District Court, No. 2427.
vs.		McDOUGALL, ALDRICH & SHARP, <i>for Plaintiff</i> .
THE CITY.		

Complaint filed December 24, 1860. Summons not issued until Feb. 1861. Complaint similar to that in *Perry v. The City*, alleging purchase of lots Nos. 49 and 50, and payment of \$17,000, at divers times during the months of January, February and March, 1854. Amount claimed, with interest from March 1, 1854, to March 1, 1861, \$28,900.

JOHN SATTERLEE

vs.

C. K. GARRISON,

CHAS. D. CARTER,

RICHARD M. JESSUP,

FRANK TURK, AND

JAMES VAN NESS.

12th District Court, No. 1575.

W. W. SHEPARD, *for Plaintiff.*

WHITCOMB, PRINGLE & FELTON,

HOGE & WILSON, and

CROCKETT & CRITTENDEN,

for Defendants.

Complaint filed April 13, 1855; issue joined May 11, 1855. Complaint alleges that the defendants represented themselves to be the agents of the city of San Francisco, and empowered to sell certain lots of land Nos. 107 and 108; that under said pretended authority defendants offered to sell and did sell said lots to the plaintiff, for the sum of \$22,000, in consideration whereof the plaintiff made the following payments:—January 4, 1854, \$5,768; April 15, 1854, \$2,490; but that the representations made by defendants were false, and plaintiff never received any consideration for the moneys so paid in by him. Complaint also contains a second count for money had and received, etc.

The demurrer of Garrison and Turk is based upon the following grounds:—1st. Insufficiency of facts. 2d; That the several pretended causes of action are not separately stated. 3d. That there is no averment that plaintiff offered to pay the whole of the purchase price, or demanded a deed. 4th. That complaint does not state the terms of sale. 5th. That it does not appear that plaintiff sustained any damages by reason of the premises, or had been disturbed in his possession.

The first amendment to the complaint goes only to the second count, and was filed June 27, 1855.

Answer and demurrer of Jessup and Carter filed July 11, 1855. The answer pleads the ordinance No. 481, as the authority of defendants, and demurs to the second count as insufficient to support the action.

The second amendment to the complaint leaves it in form like that in the case of *McCracken v. The City*, (see above) except that the Mayor and Land Committee are substituted in the stead of the city as defendants. Filed March 7, 1857.

Answer of Garrison and Turk (setting up ordinance No. 481, in bar) filed March 23, 1857.

Amount claimed, with interest to March 1, 1861, \$14,099 48.

JAMES E. LEIGHTON, EXEC. OF AUSTIN, DEC.	} 12th District Court.
vs.	
C. K. GARRISON, CHARLES D. CARTER, RICH'D	
M. JESSUP, FRANK TURK, JAMES VAN NESS.	
	No. 2434.
	JOHN SATTERLEE, <i>for Plff.</i>

Complaint filed December 27, 1855. The complaint is like that in the case of Satterlee against same defendants, but without the second count, and alleges the purchase of triangular lot, (particularly describing it) for \$27,000, and the following payments:—Dec. 27, 1853, \$7,044; Feb. 27, 1854, \$13,500. Amount claimed, with interest to March 1, 1861, \$35,057 50.

F. DESFARGES	} Superior Court, No. 4949.
vs.	
THE CITY.	
	BRISTOL & SPENCER, <i>for Plaintiff.</i>

Complaint filed December 26, 1855. The complaint contains but one count for money had and received by defendant to and for the use of plaintiff, paid as purchase money for lot No. 71. Payments alleged as follows:—December 27, 1853, \$2,537 50; February 27, 1854, \$5,075; April 27, 1854, \$2,537 50. Amount demanded, with interest to March 1, 1861, \$17,266 27.

P. G. PARTRIDGE	} 4th District Court, No. 5229.
vs.	
THE CITY.	
	B. S. BROOKS, <i>for Plaintiff.</i>
	SAWYER, <i>for City.</i>

Complaint filed April 7, and issue joined June 27, 1855. The complaint contains two counts—one for \$15,000, had and received by defendant to and for the use of plaintiff, but which she refuses to pay, to the damage of plaintiff in the sum of \$15,000, and the second for the same sum, paid, laid out and expended.

The answer is, first, a general denial; second, a specific denial of the first count; third, a specific denial of the second count; and fourth, like the fourth count in Perry v. The City. Attachment levied on slip lots and other property. Amount demanded, with interest from April, 1855, to March 1, 1861, \$23,858 33.

JUANITA PIMENTEL ET AL.	} 12th District Court, No. 2700.
vs.	
THE CITY.	
	} STOW & BROWN, <i>for Plaintiffs</i> .
	} HOLLADAY, <i>for City</i> .

Complaint filed April 21, 1856. Answer filed February 9, 1861. The complaint is same as in *Perry v. The City*, alleging the purchase of lot No. 54, and payments as follows:—December 27, 1853, \$1,975; February 27, 1854, \$3,950; April 27, 1854, \$1,975.

The answer denies all the allegations of the complaint, and sets up the statute of limitation.

Amount demanded, with interest to March 1, 1861, \$13,438 77.

MANUEL AINSA	} 12th District Court, No. 1537.
vs.	
THE CITY.	
	} SAUNDERS & HEPBURN, <i>for Plaintiff</i> .
	} SAWYER, <i>for City</i> .

Complaint filed April 6, 1855, and issue joined June 16. The pleadings are the same as in *Perry v. The City*, except payments are alleged as follows:—December 30, 1853, \$2,137 50; February 27, 1854, \$4,275; April 27, 1854, \$2,137 50. Attachment levied on slip lots. Cause dismissed for want of prosecution. Amount claimed, with interest to March 1, 1861, \$14,542 12.

MARTIN PRAG ET AL.	} 12th District Court, No. 1536.
vs.	
THE CITY.	
	} ANNIS MERRILL, <i>for Plaintiff</i> .
	} SAWYER & HAIGHT, <i>for City</i> .

Complaint filed April 6, 1855; issue joined June 25, 1855. The pleadings in this case are similar to those in the case of *William Sharon v. The City*, (see sup.) Payments alleged on lot No. 5, as follows:—December 27, 1853, \$2,275; January 17, 1854, \$1,848 75; March 25, 1854, \$1,144 50; March 31, 1854, \$1,556 75.

Second count for \$6,825, money had and received, and \$4,235, laid out and expended for improvements, etc. Attachment levied upon slip lots. Amount claimed, with interest to March 1, 1861, \$11,651 80.

GULLIVER & FRENCH	}	4th District Court. Transferred to 12th, No. 2113.
vs.		WHITCOMB, PRINGLE & FELTON, <i>for Plaintiffs.</i>
THE CITY.		SAWYER & PEYTON, <i>for City.</i>

Complaint filed April 5, and issue joined June 16, 1855. The complaint and the demurrer and answer filed by Sawyer, former City Attorney, are same as in the case of *Perry v. The City*. Payments alleged as follows:—December 30, 1853, \$4,750; February 27, 1854, \$9,500; April 27, 1854, \$4,750.

The case was tried in the Twelfth District Court without a jury, and the finding of the Court filed January 7, 1856. The finding will be found incorporated in full in the statement on motion for a new trial filed in the McCracken case (see sup.) Judgment was rendered against the city in accordance with the finding for the sum of \$21,388.75. Attachments levied on the slip lots and a large amount of other property.

An amended answer was filed January 9, 1856, by Balie Peyton, City Attorney, by consent of the opposing counsel. The answer submits to the Court the question of the validity of Ordinance No. 481, but sets up the Ordinance No. 493, as confirming it, denying that the city ever authorized any of the acts done under the pretended ordinance first mentioned, except by the passage of said Ordinance No. 493. It also denies the payments alleged in the complaint, and sets up the same defence contained in the last count of the answer filed by Sawyer, viz: the inability of the city to contract any debt over \$50,000, in accordance with the true intent and meaning of the Act of 1851, to incorporate the city.

The case is open for an appeal, under the stipulation on file, waiving all irregularities in perfecting the appeal. Amount claimed with interest to March 1, 1861, \$32,315 80.

KELSEY HAZEN	}	4th District Court. Transferred to 12th, No. 2112.
vs.		WHITCOMB, PRINGLE & FELTON, <i>for Plaintiff.</i>
THE CITY.		SAWYER & HAIGHT, <i>for City.</i>

Complaint filed April 5, and issue joined June 16, 1855. In this case the pleadings, etc., are same as in *John Perry, Jr. v. The City*, except that instead of being referred, it was tried by the Court.

The finding of the Court was filed Dec. 15, 1860, and is briefly as follows:

That the defendant is a body politic duly incorporated, etc.

That the land described in the complaint was offered for sale by the defendant on the 26th December, 1853, by virtue of an ordinance purporting to be an ordinance passed by said city.

That the said pretended ordinance was published in the official newspapers as a legally passed ordinance, by the agents of defendant; that it was signed by the Presidents of both Boards of Aldermen, and approved by the Mayor.

That by said ordinance the Mayor and Joint Committee on Land Claims were authorized to sell at public auction, after not less than ten days advertisement in the daily papers, at such time and place as they should think proper, the land described in the complaint.

That plaintiff attended at the sale and bid off two lots; that his bids were accepted and the lots struck off to plaintiff.

That in consideration of said pretended sale, and as part of the purchase money, plaintiff paid to the defendant and defendant accepted of said plaintiff, on the 30th of December, 1853, the sum of \$7,000.

That no part of the said sum has been paid back to the plaintiff.

That the said pretended ordinance was passed by the Board of Assistant Aldermen by a vote of four in its favor to three against it; that at that time there was a vacancy in said Board—one member having resigned and his place never having been filled.

That as part consideration for said purchase, the plaintiff gave to the defendant his two promissory notes, one for \$7,000, and one \$6,825.

That on the 12th of April, 1854, defendant brought suit against the plaintiff for the recovery of said promissory notes, and that the plaintiff resisted the payment of said notes on the ground that the said contract of sale was void, that said ordinance was void, and the plaintiff had received no consideration for said promissory notes.

That on the 5th of April, 1855, the Supreme Court decided in said action that said contract of sale was void, that said ordinance was void, and that the plaintiff received no consideration of said promissory notes.

As conclusions of law, the Court holds and states:

That the said defendant is indebted to the said plaintiff in the sum of \$7,000, with interest at ten per cent. per annum, from December 30, 1853, amounting in all to the sum of \$11,870 83, which, with costs of suit, the said plaintiff is entitled to have and recover, and from the said defendant.

Judgment entered accordingly for \$11,870 83, and costs, \$121 75.

Attachment levied on slip lots and a large amount of other property.

This case was decided against the city, on the ground stated by Judge Norton, that the questions involved were *res judicata*, the city having sued Hazen on his note given for purchase money, and the judgment of the Supreme Court being in his favor. It is still open for appeal as soon as other cases shall be disposed of. The right of appeal is reserved by stipulation, not however on file.

APPENDIX.

NOTE I.

In this case it is agreed that the same shall be submitted in the Fourth Judicial District Court of the State of California, on the same facts stipulated in the case of John McCracken *vs.* The City of San Francisco, in the District Court of the Twelfth Judicial District of the State of California, in and for the City and County of San Francisco, except that the amounts paid the Land Committee are as follows: on the 30th December, 1853, \$6,550; on the 27th February, 1854, \$13,100; and on the 4th April, 1854, \$6,550.

That the statement on appeal shall be the same as the statement in the said case of John McCracken *vs.* The City of San Francisco.

That this case shall abide the result of the said case of John McCracken *vs.* The City of San Francisco, and shall be considered as appealed when that case is appealed.

Dated San Francisco, August 1st, A. D., 1859.

WHITCOMB, PRINGLE & FELTON,
Plaintiff's Attorneys.

F. M. HAIGHT,
Attorney for Defendant,

NOTE II.

It is stipulated in the above entitled case, that the finding and statement on appeal in the case of John McCracken *vs.* The City of San Francisco, shall serve as a statement on appeal in the above entitled action, except as to the amount of money paid. That in this case the amount of money paid by the plaintiff to the Land Committee under

the circumstances stated in the said case of *McCracken v. The City of San Francisco*, was as follows: On the 30th December, 1853, \$6,550; on the 27th of February, 1854, \$13,100; and on the 4th of April, 1854, \$6,550; and that the statement of this case shall be the same as the statement in the case of *McCracken v. The City of San Francisco*, except that the amount of money above stated shall be considered as inserted in said statement for the purposes of this case, and the amount of money therein stated shall be considered as struck out.

It is further agreed that the transcript in said case of *McCracken vs. The City of San Francisco* as changed by this stipulation, and this stipulation shall be the transcript in this case in the Supreme Court of the State of California, and that the said plaintiff need not file his transcript in this case in said Supreme Court, until sixty days after the decision in the case of *McCracken vs. The City of San Francisco*, in said Supreme Court. That said plaintiff in the said Supreme Court may at his option use this stipulation, and the said Transcript in the case of *McCracken vs. The City of San Francisco*, as the Transcript in this case in said Supreme Court, or he may cause a new Transcript, embodying the facts contained in said statement in the case of *McCracken vs. The City of San Francisco*, as changed by this stipulation.

It is further stipulated that this case shall abide the decision of the said Supreme Court of the case of *McCracken v. The City of San Francisco*, and that immediately upon the decision of said case of *McCracken v. The City of San Francisco*, either party to this suit may apply to the said Supreme Court for judgment according to this stipulation.

Dated San Francisco, March 23d, 1860.

WHITCOMB, PRINGLE & FELTON,
Attorneys for Plaintiff.

F. M. HAIGHT,
Attorney for Defendant.

NOTE III.

IN THE DISTRICT COURT OF THE TWELFTH JUDICIAL DISTRICT OF THE
STATE OF CALIFORNIA, IN AND FOR THE CITY AND COUNTY
OF SAN FRANCISCO.

Richard M. Jessup	v.	The City of San Francisco.
Alex. B. Grogan	"	"
Alex. H. Reed	"	"
Charles D. Carter	"	"
R. Werthman	"	"
A. Miller, et al.	"	"
C. E. S. McDonald	"	"
J. W. Lyles, et al.	"	"
A. Scheper, et al.	"	"
L. Schroöder, et al.	"	"
F. Wolga	"	"
T. J. A. Chambers	"	"
John Johnson	"	"
T. J. L. Smiley, et al.	"	"
E. Whitstead	"	"
Wm. C. Hoff	"	"
J. P. Buckley	"	"
E. T. Crane	"	"
E. Crowell	"	"
Harvey Sparks	"	"
P. Bideau, Jr.	"	"
F. Peyre,	"	"
S. Whipple	"	"
Moritz Caro	"	"
Wm. Sharon	"	"
John McCracken	"	"
Geo. W. Green	"	"
William Schad, et al.	"	"
C. L. Poppé	"	"
John A. Schmidt, et al.	"	"
H. J. Wells	"	"

It is hereby stipulated and agreed, by and between the parties to the above entitled actions, that said causes and each of them be referred to Samuel H. Dwinelle, Esq., as Referee, to try the issues, whether of law or fact, and to report a judgment thereon to this Court.

Dated San Francisco, December 1st, 1860.

WHITCOMB, PRINGLE & FELTON,
Attorneys for Plaintiff.

NOTE IV.

SCHEDULE OF THE BIDS AT CITY SLIP SALE, AND AMOUNTS PAID THEREON.

LOT.	PURCHASER AT SALE, DEC. 26, 1853.	ASSIGNEE AND PRES- ENT HOLDER.	BID AT AUCTIONER'S SALE.	AMOUNT PAID UNDER ORDINANCE 481.	AMOUNT PAID TILLING- HAST, UNDER ACT OF 1858.	AMOUNT PAID TILLING- HAST, UNDER ACT OF 1860.	AM'T DUE.
No.	1 Michael Reese	S. B. Whipple	\$ 15,500 00	\$ 11,625 00	\$ 3,875 00	\$	
"	2 G. T. Marie	John Sullivan	15,000 00	15,000 00			
"	3 O'Meara	J. P. Buckley	8,400 00	8,400 00			
"	4 Geo. Benson	S. B. Whipple	10,500 00	7,875 00	2,625 00		
"	5 Prag	M. & C. Prag	9,100 00	6,825 00	2,275 00		
"	6 Caro	Caro	7,550 00	7,550 00			
"	7 E. D. Crane	E. T. Crane	8,900 00	8,900 00		8,600 00	
"	8 E. D. Crane	E. T. Crane	8,350 00	8,350 00		7,800 00	
"	9 O'Meara	D. S. Roberts	8,600 00				
"	10 O'Meara	D. S. Roberts	7,800 00				
"	11 Reserved for City						
"	12 Reserved for City						
"	13 Smiley, Yerkes & Co.	Smiley, Yerkes & Co.	9,000 00	9,000 00			
"	14 Smiley, Yerkes & Co.	Smiley, Yerkes & Co.	8,250 00	8,250 00			
"	15 Scheper Van Bergen	Scheper & Van Bergen	8,500 00	8,500 00			
"	16 Scheper Van Bergen	Scheper & Van Bergen	9,050 00	9,050 00			
"	17 F. Peyré	F. Peyré	9,000 00	9,000 00			
"	18 F. Peyré	F. Peyré	8,550 00	8,550 00			
"	19 Harvey Sparks		10,850 00				10,850 00
"	20 Harvey Sparks	D. S. Roberts	10,850 00			10,850 00	

LOT.	PURCHASER AT SALE, DEC. 26, 1853.	ASSIGNEE AND PRES- ENT HOLDER.	BID AT AUCTIONER'S SALE.	AMOUNT PAID UNDER ORDINANCE 481.	AMOUNT PAID TILLING- HAST, UNDER ACT OF 1858.	AM'T DUE.
No.			\$	\$	\$	\$
48	Wm. Lent	{ A. Grogan & Wm. }	9,450 00	\$ 18,971 74	\$ 29,428 26	
"	49 J. Herzo	{ M. Lent }				
"	50 J. Herzo	J. Herzo	8,500 00	8,500 00		
"	51 S. Martin	J. Herzo	8,500 00	8,500 00		
"	52 Neuhaus Bro.	S. Martin	8,300 00	8,300 00		
"	53 Neuhaus Bro.	D. H. & H. Neuhaus	8,500 00	6,375 00	2,125 00	
"	54 J. Richards	D. H. & H. Neuhaus	8,350 00	6,262 50	2,087 50	
"	55 B. Lawrence	Pimental	7,900 00	7,900 00		
"	56 B. Lawrence	Chas. D. Carter	8,400 00	8,400 00		
"	57 C. O. Gerberding	Chas. D. Carter	8,400 00	8,400 00		
"	58 B. Lawrence	C. O. Gerberding	8,400 00	8,400 00		
"	59 B. Lawrence	Chas. D. Carter	7,900 00	7,900 00		
"	60 B. Lawrence	Chas. D. Carter	8,400 00	8,400 00		
"	61 G. W. Green	Chas. D. Carter	8,400 00	8,400 00		
"	62 G. W. Green	George W. Green	8,600 00	8,600 00		
"	63 Capt. Lysle	George W. Green	8,200 00	8,200 00		
"	64 Capt. Lysle	{ Capt. Lysle & J. }	8,050 00	8,050 00		
"	65 Buchanan	{ H. Bosworth }				
"	66 Buchanan	{ Capt. Lysle & J. }	8,650 00	8,650 00		
"	67 Hastler	{ H. Bosworth }				
"	68 Higgins	Buchanan	8,700 00	8,700 00		
"	69 Huddler	Buchanan	8,000 00	8,000 00		
"	70 Schewrein	C. J. Hastler	7,900 00	7,900 00		
		Schmidt & Hudler	9,050 00			9,050 00
		Schad & Schewrein	8,850 00	8,850 00		
			8,200 00	8,200 00		

"	71	F. Des Farges	F. Des Farges	10,150 00	10,150 00	3,594 75	10,150 00	6,937 50
"	72	Wm. Shaaron	Wm. Shaaron	11,050 00	7,455 25	8,050 00	10,237 50	
"	73	T. J. A. Chambers	T. J. A. Chambers	16,100 00	8,050 00	6,300 00	10,500 00	
"	74	F. J. A. Chambers	T. J. A. Chambers	12,600 00	6,300 00	2,312 50	10,250 00	
"	75	F. Wolga	T. J. A. Chambers	9,250 00	10,250 00	6,750 00	13,100 00	
"	76	F. J. A. Chambers	C. C. Wardwell	20,500 00	20,250 00			
"	77	P. Nichols	Jas. C. Ward	13,100 00	3,412 50			
"	78	{ F. Wolga, then to } S. C. Bruce		27,000 00	3,500 00			
"	79	K. Hazen		13,650 00	9,100 00			
"	80	K. Hazen		14,000 00	9,100 00			
"	81	J. Perry, Jr.	John Perry, Jr.	9,100 00	9,100 00			
"	82	J. Perry, Jr.	John Perry, Jr.	9,100 00	8,150 00			
"	83	Smiley, Yerkes, & Co.	E. Whitstead	8,150 00	8,000 00			
"	84	Schulze	Schulteness	8,000 00	7,900 00			
"	85	J. P. Haven		7,900 00	7,900 00			
"	86	J. P. Haven		7,900 00	7,900 00			
"	87	J. P. Haven		7,900 00	7,900 00			
"	88	J. P. Haven		7,900 00	7,900 00			
"	89	H. J. Weeks	Nathaniel Holland	7,900 00	3,975 00	3,925 00		
"	90	H. J. Wells	Henry J. Wells	7,900 00	5,925 00	1,975 00		
"	91	De Pucleron		8,050 00				
"	92	De Pucleron		8,050 00				
"	93	W. C. Hoff	William C. Hoff	7,900 00				
"	94	B. Lawrence		7,850 00	1,962 50			
"	95	B. Lawrence		7,850 00	5,887 50			
"	96	Wm. C. Hoff	Wm. C. Hoff	7,500 00	7,786 25	7,613 75		
"	97	P. Bideau	P. Bideau	7,750 00	7,750 00			
"	98	C. Poppy	C. L. Poppé	7,950 00	7,950 00			
"	99	Dr. Grover		8,000 00				8,000 00

LOT.	PURCHASER AT SALE, DEC. 26, 1853.	ASSIGNEE AND PRES- ENT HOLDER.	BID AT AUCTIONER'S SALE.	AMOUNT PAID UNDER ORDINANCE 481.	AMOUNT PAID TILLING- HAST, UNDER ACT OF 1858.	AMOUNT PAID TILLING- HAST, UNDER ACT OF 1860.	AM'T DUE.
No. 100	Dr. Grover		\$ 8,000 00	\$	\$	\$ 8,000 00	
" 101	Wheaton	R. M. Jessup	8,300 00	8,300 00			
" 102	Wheaton	R. M. Jessup	8,300 00	8,300 00			
" 103	Wheaton	R. M. Jessup	8,750 00	8,750 00			
" 104	Wheaton	R. M. Jessup	8,750 00	8,750 00			
" 105	H. Sparks	Harvey Sparks	10,000 00	7,500 00	2,500 00		
" 106	Crowell	E. Crowell	11,250 00	11,250 00			
" 107	Satterlee		11,000 00	5,240 00			5,760 00
" 108	Satterlee		11,000 00	2,750 00			8,250 00
" 109	McCracken		8,400 00	2,100 00			8,400 00
" 110	McCracken		8,500 00				6,300 00
" 111	J. Phelan		8,500 00				8,500 00
" 112	J. Phelan		8,500 00				8,500 00
" 113	H. Richardson		8,500 00	2,125 00			6,375 00
" 114	H. Richardson		8,500 00	2,125 00			6,375 00
" 115	S. C. Hastings		9,200 00				9,200 00
" 116	J. Perry, Jr.	John Perry, Jr.	8,000 00	8,000 00			
" 117	W. H. Taylor	William H. Taylor	8,700 00	8,700 00			
" 118	J. M. Ray		10,800 00				10,800 00
" 119	James Grant	{ Jas. Grant & D. }					
" 120	F. Wolga	{ C. McCarthy }	19,000 00	4,750 00	14,250 00		
" 121	{ McCarthy, trans. }	R. Wertherman	8,800 00	6,600 00	2,200 00		
" 122	{ to Geo. T. Marge }		10,600 00				10,600 00
" 122	Geo. T. Marge		25,000 00	25,000 00			
Total,			\$1,193,750 00	\$735,840 74	\$141,422 26	\$59,350 00	\$257,135 00

RESOLUTION No. 999.

Resolved, That the City and County Attorney be requested to furnish to this Board, at its next meeting, a condensed and comprehensive tabular statement of all suits pending at present against the City and County; when commenced, nature and condition of same; supposed amounts involved; with names of plaintiffs, and the former and present attorneys prosecuting same, and all final or other judgments against the City and County.

In Board of Supervisors, San Francisco, January 7th, 1861, adopted by the following vote: Ayes—Supervisors Biden, Britton, De La Montanya, Brooks, Gaven, Dodge, Hinckley, Davies, Crowell, Otis, McCoppin and Lynch.

WM. A. WELLS, Clerk.

OFFICE OF THE CITY AND COUNTY ATTORNEY, }
SAN FRANCISCO, June 1st, 1861. }

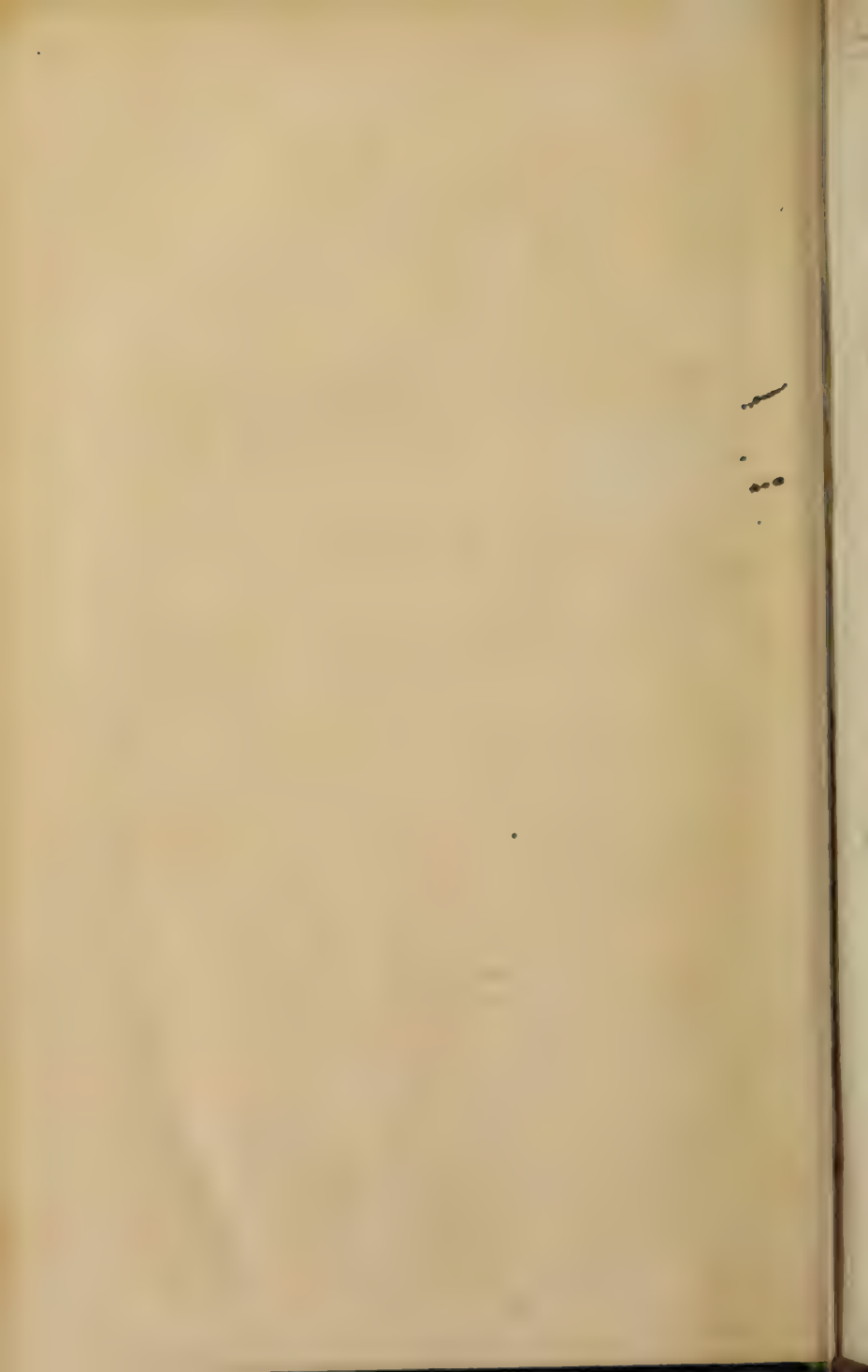
To the Honorable Board of Supervisors of the City and County of San Francisco :

GENTLEMEN :—

In compliance with the foregoing resolution, No. 999, I have the honor to submit the accompanying statement of litigation, wherein the present corporation is interested. Trusting that the same will be found full and accurate, I am,

Very Respectfully,

S. W. HOLLADAY,
City and County Attorney.



REPORT

ON THE CONDITION OF

THE BEACH AND WATER LOTS

IN THE CITY OF

SAN FRANCISCO.

MADE IN PURSUANCE OF AN ORDINANCE

OF THE

COMMON COUNCIL OF SAID CITY,

CREATING A COMMISSION TO ENQUIRE INTO CITY PROPERTY.

ALFRED WHEELER,	} <i>Commissioners.</i>
A. A. SELOVER,	
AUGUSTUS MORRIS,	

SAN FRANCISCO:

PRINTED AT THE OFFICE OF THE EVENING PICAYUNE.

OCTOBER, 1850.

REPORT

ON

BEACH AND WATER LOTS.

To the Honorable the Common Council of the City of San Francisco:—

The undersigned, commissioners appointed by your honorable body on the seventeenth day of June last,

“To ascertain and report to the common council, the extent, description and condition of all the property belonging to this city, or to the municipality or pueblo of Yerba Buena or San Francisco, on the twenty-ninth day of April last; and all claims, rights, titles and interests of said city or pueblo to or in any lands, funds, or property within the corporate limits; and also to ascertain and report upon ‘any right or privilege to which the the citizens of San Francisco’ or the citizens or inhabitants thereof in common, ‘may be entitled beyond the limits described’ by the Act to Incorporate the City of San Francisco,” beg leave, as a partial report, most respectfully to submit the following :

The commissioners have examined, with great care and labor, every book containing records or memoranda of grants found in the possession of the recorder of this city; also five books of grants in the possession of his honor, the mayor; also all the published proceedings of ayuntamientos which they have been able to find. They have made a transcript of every thing found recorded in those books, and at this time have completed the

classification of all the grants or other conveyances of beach and water lots found recorded. Upon the subject of this portion of the City of San Francisco the present report is made; and all those lots within the city limits, lying upon either the northeast, or south front, and covered, wholly or in part, by the waters of the bay, have been classed by the commissioners as beach and water lots, and will be found embraced in this report.

There are a few grants on record of lots on the east front of the city, within what is now known as the beach and water survey, and which appear to have been made by Mexican officials before the hoisting of the American flag in California, and of which more particular mention is hereinafter made.

But the first general notice or disposition of that portion of the city of San Francisco is found in the following document, bearing date the 10th day of March, 1847, made by Brigadier-General S. W. Kearny, then Governor of California, to wit:

"I, Brigadier-General S. W. Kearny, Governor of California, by virtue of authority in me vested by the President of the United States of America, do hereby grant, convey and release unto the town of San Francisco, the people, or corporate authorities thereof, all the right, title and interest of the government of the United States, and of the territory of California, in and to the beach and water lots on the east front of said town of San Francisco, included between the points known as the Rincon and Fort Montgomery; excepting such lots as may be selected for the use of the general government, by the senior officers of the army and navy, now there: Provided the said ground hereby ceded shall be divided into lots and sold by public auction, to the highest bidders, after three months' notice previously given. The proceeds of said sale to be for the benefit of the town of San Francisco.

Given at Monterey, capital of California, this 10th day of March, 1847, and in the 71st year of the Independence of the United States.

(Signed,)

S. W. KEARNY,
Brig.-Gen'l and Gov. of California.

Under this authority, Edwin Bryant, then alcalde of San Francisco, accepting, in behalf of the town of San Francisco, the title and possession of the property thus granted, ordered a survey of the same; which survey was made about the month of

July, 1847, by Jasper O'Farrell, surveyor, who laid off 444 beach and water lots, of the dimensions of sixteen and two-thirds varas, by fifty varas, or forty-five feet and ten inches, by one hundred and thirty-seven feet and six inches. These lots are now designated upon the official map of the city, made by Wm: M. Eddy, city surveyor, as lots numbered from 1 to 444 inclusive.

On the 16th day of March, of the same year, public notice was given by Mr. Bryant that the sale of these lots would take place on the 29th day of June, following.

The sale was deferred, however, until July, and, on the 20th, 21st and 22d days of that month took place. Mr. Bryant having meanwhile gone out of office, the conveyances were given by George Hyde, then alcalde and chief magistrate.

The lots sold on this occasion with the dates of the conveyances and the names of the grantees will be found in schedule *A* of this report, with the exception of twelve lots, numbered 172, 252, 285, 286, 317, 318, 331, 332, 333, 334, 335 and 336. These were sold at the same time, but the conveyances were made by T. M. Leavenworth, then "2d alcalde," and they will be found in the schedule of lots granted by him.

There was no further grant or sale of beach and water lots in conformity with the terms and conditions of General Kearny's grant until during the administration, as alcalde, of John W. Geary, who, by order of the ayuntamiento, or town council, on the 3d day of October, 1849, gave public notice of a further sale of water lots, to take place on the 3d day of January, 1850.

A further survey was also directed, and in addition to the lots previously surveyed there were laid out, within the limits named in Kearny's grant, 328 lots, which are numbered upon the official map of the city, from 445 to 772 inclusive, and are of the same dimensions as those previously surveyed by O'Farrell.

In conformity with the notice given, on the 3d day of January, 1850, a public sale was held, and 343 lots sold. The conveyances were made by John W. Geary, alcalde; and the lots so conveyed, with the names of the grantees, will be found in schedule *B*.

The lots described in schedules *A* and *B*, and the 12 lots hereinbefore mentioned, are the only lots which the commissioners find have been sold in strict conformity with the grant of General Kearny.

In addition to those, however, there have been many grants made, of lots within the beach and water survey, by T. M. Leavenworth, alcalde, and by G. Q. Colton, justice of the peace. None of these, with the exception of the twelve before mentioned, were sold at public auction. They were granted generally upon petition of the grantee.^a

Those so granted by T. M. Leavenworth, numbering in all eighty-one, will be found with their dates, and names of grantees, in schedule *C*.

Those granted by G. Q. Colton, numbering in all one hundred and thirty-nine, will be found with their dates, and names of grantees, in schedule *D*.

There are also recorded many grants of beach and water lots lying adjacent to Rincon point, Clark's point, and upon that portion of the city known as the north bay, which have been made by T. M. Leavenworth and G. Q. Colton, in their respective official capacities. The former are described in schedule *E*, and the latter in schedule *F*.

All other grants, leases, privileges and reservations which have been made of any of that portion of the city of San Francisco which is intended to be embraced in this report will be found in schedule *G*.

The schedules *A*, *B*, *C*, *D*, *E*, *F*, *G*, will therefore show all the grants or other disposition of beach and water lots which the commissioners have found upon the records of this city.

The ordinance, under which the commissioners have been acting, requires them to report "all claims, rights, titles and interests of said city, or pueblo, to or in any lands, funds or property within the corporate limits."

What claim, right, title or interest then has this city to any of the 772 beach and water lots on the east front, within the limits of the beach and water lot survey? And what to the land covered with water on other sides of the city?

In answer to the first query it must be replied that so far as the commissioners have been able to discover, the original title of the city of San Francisco to those lots was derived solely from the grant of General Kearny, hereinbefore mentioned, and by which grant "all the right, title and interest of the government of the United States and of the territory of California" in and to the same, was relinquished to the town of San Francisco; and

the authorities thereof thus placed in control over and possession of the same.

That the pueblo of San Francisco had no claim to that part of the domain, prior to that grant, must be inferred from the fact that the Departmental Legislature of California, in authorizing the granting of lots in this pueblo, by an act passed in 1835, especially prohibited the local authorities from making any grants within a specified distance of the water. This restriction was in accordance with the principles of the civil law which prevailed here at that time, and by the doctrines of which the shores of the sea and the waters that wash them are regarded as the property of no one, but subject to the common use of all the subjects of the realm. But when the United States became the owners of the Territory of California, the civil law ceased to prevail, and the common law succeeded it.

For "every nation acquiring territory by treaty or otherwise must hold it subject to the constitution and laws of its own government and not according to those of the government ceding it."*

How far General Kearny, in surrendering the title and possession of this property to the pueblo of San Francisco, acted in accordance with authority conferred upon him, or in conformity with any instructions; or how far that act, if not previously authorised or directed, may meet the approval and receive the ratification of the federal government, are questions which congress will settle hereafter. It is sufficient for us to know, and it is all that we can know, that General Kearny did claim and exercise the right to relinquish to this city the title to said property and the possession of the same. Having accepted that grant, and taken possession of the property under and by virtue of it, this city under the general principles of law can only be divested of its right, or ousted from its possession by the establishment of some better title, or the proof of some prior possession. And until such right or title can be shown, and until the city shall be ejected by due process of law from its possession acquired thus peaceably, and with at least a color of title, its control over, and

See Vattel's Law of Nations, B. 1, chap. 19, § 210, 241 & 245.

do " " B. 2, " 7, § 80.

title to, the said property must be held paramount to any other.

The first act of possession over those water lots on the part of the city was the partial survey and notice of sale made in the summer of 1847. Since then and up to the present date there have been continued acts of possession, such as the sale under George Hyde, alcalde; the conferring of certain privileges for wharves and basins; the second survey and sale of lots under the administration of John W. Geary, alcalde; the building of city piers and the laying out of reservations for markets. All these acts, following the grant hereinbefore alluded to, show such a possession as to entitle the city to peaceable enjoyment.

If then the 772 beach and water lots above mentioned were held by the city under a grant, than which no better has yet been established, and by a possession consequent upon that grant; such portion of them must now belong to the city as the city has not granted away, or to which the city has not surrendered its title and possession; excepting only such portions as were held by some legal title or possession prior to the date of Kearny's grant.

The only lots of the beach and water survey, excepting those reserved for markets, and those adjacent to the Central wharf, and reserved for a basin, which by the records do not appear to have been granted or otherwise disposed of, are those numbered as follows, to wit:

196	302	316	372	515	588	682	726
199	309	319	422	516	606	691	731
200	311	320	424	517	611	719	767
273	312	326	510	534	618	721	770
292	315	352	511	580	678	724	772

These must therefore be considered at the present time indisputably the property of the city.

How far the city has relinquished its right of possession and title to those lots mentioned in the various schedules as having been granted will depend upon the question, whether they were made by the authority or with the approval of the city.

The commissioners, believing that the object of the commission under which they are acting was to quiet rather than to disturb and embarrass the titles to lots obtained and held in good faith,

do not deem it to be a part of their duty to give any opinion upon the validity or legal strength of any particular set of titles or grants which appear to have been made. If an opinion were to be given of one it would be requisite of all; and this would require such an investigation of the law of Mexico, and the usages and customs of that country, as is not to be made from any books or records within the reach of these commissioners:

These questions of title must be decided by the courts which are the only proper tribunals before which the question can be presented.

There are certain facts, however, concerning these grants which the commissioners deem it proper to present in order to give a true statement of their condition.

The lots mentioned in schedules *A* and *B* have been granted in strict conformity with the terms of Kearny's grant; their validity has been recognised by the authorities of the city successively; and they are now held by purchasers in undisputed possession. To them the city cannot make any legal nor equitable claim.

The grants of lots mentioned in schedule *C*, granted by T. M. Leavenworth, alcalde, were made at private sale, and not at auction, with the exception of the 12 lots hercinbefore refered to and which were sold at the first auction sale.

A portion of them were made on September 9th and September 25th, of 1848, and the remainder on January 7th, May 5th and 8th, and July 7th, of 1849.

Upon examining the proceedings of the ayuntamientos, or town councils, of San Francisco, to find how far these sales had been authorised or approved by the city, the commissioners find, in the published proceedings of a meeting of the town council, held October 11th, 1848, the following preamble and resolution:

"Whereas, T. M. Leavenworth, the present alcalde, has represented to this body that he has made grants of several parcels of land, adjacent to the town, and that the grants made during the interim of the council were for the purpose of raising funds to defray the necessary expenses of the town and district; therefore,

Resolved, By the council of the town of San Francisco, that the grants of land made by T. M. Leavenworth, alcalde of the

district of San Francisco, be, and are hereby, ratified and confirmed."

And, also, in the published proceedings of a meeting of the council, held April 1st, 1850, the following preamble and resolution:

"Whereas, There was no organised town council for the town and district of San Francisco, from the 1st of January to the 1st of August, 1849, to provide by legislation the ways and means for the necessary improvement of the town, and expenses of the municipality thereof, thereby throwing the entire weight and responsibility upon the alcalde, and chief magistrate, for the raising and providing the funds necessary for the purpose, and for the maintainance of the proper authority of the said town, and which, in consequence, could only be effected by a resort to the sale, by grant, in the usual form, of a portion of the public domain of the said town and district; therefore,

Resolved, That this town council do hereby approve, confirm and ratify all grants of land made within the jurisdiction of the town and district of San Francisco, by the alcalde and chief magistrate thereof, to raise the necessary funds for the purposes aforesaid, during his term of office, provided such grants shall appear upon the records of the town and district of San Francisco."

If, therefore, those lots so granted by Leavenworth were granted without authority, and not in conformity with the prescribed mode, the city has, by its own acts of subsequent ratification and approval, become estopped from setting up any claim against the holders.

The grants of lots mentioned in schedule *D*, and made by G. Q. Colton, justice of the peace, the commissioners find were made on petition of the grantees. There is no act of approval of these grants, on the part of the town council which was in existence at the time they were made, nor of the common council, elected under the charter of this city; but on the contrary, the commissioners find in the published proceedings of the town council of 1849-50, that at a meeting held on the 21st day of December, 1849, the following preamble and resolutions were adopted:

"Whereas it has this day been made to appear to the ayuntamiento, that G. Q. Colton, a justice of the peace, in and for the

town of San Francisco, has assumed the authority, and pretends to exercise the right of selling, granting and disposing of lots within limits of said town.

Resolved, That Arch'd. C. Peachy, Esq., city attorney, be directed to institute legal proceedings against the said Colton, to restrain him in such illegal and unwarrantable practices, and to made him amenable by due process of law, for a misdemeanor and malfeasance in office.

Resolved, That a copy of these resolutions be published in the 'Alta California,' the 'Pacific News' and in handbills, to warn all persons against trespassing upon the public property, under pretence of titles obtained by such fraudulent means, and under such pretended authority."

And at a meeting of the same body held on the 18th day of March, 1850, the following resolution was adopted:

"Resolved, That this town council regard all titles to land, made by grants or sales in any form, within the jurisdiction of San Francisco, by any person or persons whatever, other than the legally elected alcalde and town council thereof, as illegal and of no effect."

The city thus having refused to ratify or confirm the sales made by Mr. Colton, the question yet remains an open one, how far it is bound by his acts, and this must depend upon the legal authority possessed by him to make such disposition of city property. The issue when made will be one for the judicial tribunals to settle.

In schedule G are described all other grants or privileges which have been made affecting lots within the limits of the beach and water survey.

The first of these in the order mentioned in the schedule is a grant from Alvarado, as Governor of California, to Robert Elwell on petition "for permission to establish a place in San Diego or San Francisco for salting cattle skins and to occupy any competent lands as my own." The grant is dated, Monterey, December 10th, 1842, and confers the right of the petitioner "to establish himself on the beach, or in the place it suits him, not to exceed 400 varas."

Annexed to the record of the grant is an affidavit, dated December 5th, 1849, setting forth that Elwell on the 10th day of December, 1842, notified the authorities of his choice of

location and took possession. The property thus claimed is bounded North by Broadway, South by Washington street, West by Sansome street and East extending to Ship's channel.

From the best information which the commissioners can obtain, they believe that at the date when this grant purports to have been made, Alvarado had been superseded in his official capacity, and was no longer governor. They are led to this conclusion by the following extract from a letter by Alvarado, dated, Monterey, 19th October, 1842, and addressed to Commodore Thomas Ap. C. Jones, in reply to a demand from him to surrender the department.

“ Civil Government of Monterey.

To the commander of the naval forces of the United States, Thomas Ap. C. Jones :

At the delivery this evening by your commissioner of the notice to surrender this department, I had the honor to represent to him that such conduct on my part would not be in accordance with my duties to the governor and commandant general, as he is the person to whom the note should have been addressed. I proceed consequently to explain to you sir, that I am not competent to make a capitulation in the name of the Mexican government, as my authority does not extend beyond the limits of Monterey; and this limited authority is confined, exclusively, to the civil branch and can in no wise be extended to the military. * * * * *

Monterey, 19th October, 1842.

Juan B. Alvarado.”

This letter needs no comment. A perusal of it will suggest all the facts which the commissioners would present.

The next in order in schedule G, is a lease for ten years, from E. D. Keyes, Captain, U. S. Army, to Theo. Shillaber, of a strip of the beach and water property, bounded North by Jackson street, South by Washington street, West by Montgomery street and extending Eastward to deep water. This is one of the pieces of property known as “ Government Reserves.” The grant of General Kearny to this city excepted, “ Such lots as may be selected for the use of the general government by the senior officers of the army and navy now there.”

The commissioners find no record of any selection of this strip having been made, nor of any appropriation of it to the use of

the general government, although it is now three years and a half since the said grant was made. And as that grant included all the beach and water lots on the east front of the city, only excepting "such lots as may be selected for the use of the general government by the senior officers of the army and navy now there," therefore unless the part mentioned was so selected and applied to such purpose and use; it might be considered as included within the portion granted by Kearny to the city and be subject to the same disposition as the other water lots covered by that grant.

The grants made by Guerrero, Sanchez and Pio Pico, also described in schedule G, appear to have been made before the hoisting of the American flag in California.

Only a small portion of either of the lots included in those grants is covered with water, the larger portion lying upon the beach.

Whether the city, in regard to the title to those lots, can raise the point that they were within such distance of the water as was prohibited and reserved by the act of the departmental legislature hereinbefore referred to; or whether, if such were the case, and the said grants were made in good faith, equity and public policy would not demand a confirmation of their titles by the city, are questions more properly for the decision of your honorable body, than of these commissioners.

The charter and lease from the legislative assembly of San Francisco, incorporating the Central Wharf Joint Stock Company, and leasing to them, under certain restrictions, the property mentioned in schedule G, the commissioners did not find upon record. They make their report on the subject from the original document in the hands of the president of the said company.

In addition to the said act of incorporation they find, in the published proceedings of a meeting of the town council, held December 24th, 1849, the following ordinance:

"The ayuntamiento of San Francisco in town council assembled;

Be it ordained, That an act to incorporate the Central Wharf Joint Stock Company of San Francisco, passed on the 3d day of May, 1849, by the people of San Francisco, represented in legislative assembly, be, and the same is hereby re-enacted and

confirmed, giving, guaranteeing and confirming unto the said Central Wharf Joint Stock Company, all the rights and privileges conferred by said act of incorporation, limited by the terms, conditions and reservations therein contained.

And be it further ordained, That in order more effectually to secure and guarantee to the said Central Wharf Joint Stock Company the rights and privileges hereby granted, the lots lying, and being situate, between the wharf of the said company and Clay and Sacramento streets, out to ship channel, now covered with water, shall not be sold, granted, leased or appropriated to any other use or purpose than specified in the charter of the said company."

The other and remaining grants and reservations, mentioned in schedule G, by John W. Geary and George Hyde, were made, the former by order of the town council and the latter in accordance with the mode by which other similar grants were made at that time.

The title of the city to such portion of the lands under tide-waters, lying within the city limits, not included between Rincon point and fort Montgomery, has been a subject of careful consideration by the commissioners.

A thorough examination of all accessible public records and documents, develops no facts which can lead to a conclusion entirely satisfactory; nor have any special laws, emanating from Spanish or Mexican authorities, been found, which in any way affected or determined the right of property in lands thus situated, except that the local magistrates were prohibited from making concessions to the citizens of the pueblo.

The general principles of the civil law before referred to, would seem to indicate that the absolute fee was vested in no one, not even in the sovereign power; the shores of the sea and adjacent flats being common to all. If, however, the *title* of the city should not extend to the lands thus situated, it may be urged that their *control* and *guardianship* are vested in the municipal authorities. The flats lying between the ships' channel and the natural shore, are practically a part and parcel of a commercial town, between which, and navigable waters, such flats intervene, and their use and occupation are absolutely necessary to the transaction of commercial business by its inhabitants. And being a common privilege to be enjoyed by all and appropriated or

obstructed by none, it would seem reasonable to infer that the usufruct or right of possession was vested in the pueblo and its municipal authorities.

It appears to have been the policy of Spain and Mexico to annex to the pueblos many such common rights and properties, with the control and possession of which the municipal authorities were clothed, in trust, for the benefit of the community over which they presided. Of such character were the *ejidios* (common lands) and *proprios* (lands set apart to defray the municipal expenses), which could not be alienated or divided without the interposition of superior authority.

All rights of property vested in the pueblo being secured by charter to the city, in its corporate form, it follows that such possession and control of the lands under water as the Mexican municipal authorities had, have passed to the city government.

There can be no conflicting claim, unless the change of sovereignty from Mexico to the United States has originated a new right of property, the principles of the common and civil law being at variance in regard to the prerogatives of the sovereign power. But if any new title should have been thus acquired, there can scarcely be a doubt that it will be released to the city of San Francisco, or to those who by possession, or otherwise, have an equitable claim upon such property, who, then, by a combination of possession, with the right of property, will be in the enjoyment of a complete title.

By reference to schedules *E* and *F*, it will be seen that nearly all the property described as beach and water lots, and lying outside the limits of Gen. Kearny's grant, was granted by T. M. Leavenworth, alcalde, and G. Q. Colton, justice of the peace.

As herein before mentioned the city council or ayuntamiento by their resolutions of October 11th, 1848 and of April 1st, 1850, confirmed the grants previously made by Leavenworth.

There is no record of their having ratified any of Colton's grants, the validity of which, therefore, still remains an open question between the grantees under him and the city authorities.

In addition to the schedules before mentioned, there will be found a synopsis of all the beach and water lots on the east front of the city, 772 in all, mentioned in numerical order. Under each respective number will be found the date of such original official grant or grants as may have been made of the same,

if any, with the date thereof and the names of the grantor and grantee ; also the nature of the estate and the mode by which conveyed—whether by grant on petition, or by purchase at town sale, or under lease or other right or privilege conferred.

This concludes all the facts that the commissioners have embodied in this report.

They have found it impossible to make the report at an earlier day. The nature of the duties required by the ordinance were such as made it necessary, in order to avoid error and confusion, that but one of the Board of commississioners should pursue the investigation demanded. The chairman of the Board has since the appointment of the commission, bestowed his whole attention to the matter, and has forwarded the searches and examinations with all the expedition that the circumstances and a due regard to accuracy would permit:

Every facility has been afforded by those in whose charge the records are kept, but the books previous to the organization of the recorder's department were in such a confused and imperfect condition, and the records of grants were so carelessly and informally made, that the task of searching out and arranging what was found, proved to be a labor of no ordinary kind, and one that demanded the most minute and particular attention.

The final report upon the subject of the other property within the city limits not reported upon herein, will, as the commissioners believe, be presented to Your Honorable Body in the course of a few weeks. It is already in an advanced state of progress, and there will be no delay that is not made absolutely necessary in order to present such information as may be relied upon by Your Honorable Body.

All which is most respectfully submitted.

San Francisco, October 14th, 1850.

ALFRED WHEELER,	}	<i>Commissioners.</i>
AUGUSTUS MORRIS,		
A. A. SELOVER,		

SCHEDULES

AND

SYNOPSIS.



SCHEDULE A.

Containing water lots on the East front of San Francisco, within the water lot survey; with dates of grants and names of grantees; conveyed by George Hyde, alcalde, of San Francisco, after sale at public auction on the 20th, 21st, 22nd days of July, 1847.

No. of Lot	Date of Grant.	Grantee.
1	Sep. 23, 1847.	William Pettet.
2	" "	W. L. Clark.
3	Oct. 23, "	Alexander Hather.
4	Sep. 23, "	William Hood.
5	" "	"
6	" "	"
7	" "	William Pettet.
8	" "	William Hood.
9	" "	"
10	" "	"
11	" "	"
12	" "	John Allig.
13	" "	B. R. Buckelew.
14	" "	William Pettet.
15	" "	W. L. Clark.
16	" "	"
17	" "	"
18	" "	"
40	Aug. 25, "	Elbert P. Jones.
41	Sep. 23, "	John Joice.
42	Aug. 25, "	Elbert P. Jones.
43	Aug. 26, "	William A. Leidsdorff.
44	Sep. 28, "	E. P. Jones.
45	Sep. 23, "	William Pettet.
46	" "	"
47	Sep. 28, "	E. P. Jones.
48	Sep. 10, "	William A. Leidsdorff.
49	Aug. 25, "	Elbert P. Jones.
50	" "	"
51	" "	"
88	Sep. 23, "	B. R. Buckelew.
89	" "	"
90	" "	"
91	Aug. 6, "	William Hood.
92	Sep. 23, "	Dixon & Hay.
93	July 20, "	A. J. Ellis.
118	Sep. 23, "	Shelly & Norris.
119	Dec. 7. "	Thomas O. Larkin.

Schedule A—Continued.

No. of Lot.	Date of Grant.	Grantee.
120	Aug. 16, 1847.	Lippincott & McDougal.
121	Aug. 25, "	Elbert P. Jones.
122	Sep. 23, "	J. S. Reed.
123	Aug. 11, "	Thomas O. Larkin.
124	— " "	Benjamin S. Lippincott and George McDougal.
125	Aug. 11, "	Thomas O. Larkin.
126	" " "	"
127	Sep. 23, "	J. S. Reed.
128	Aug. 25, "	Elbert P. Jones.
129	Aug. 16, "	Benjamin S. Lippincott and George McDougal.
130	" " "	George McDougal.
131	" " "	Benjamin S. Lippincott and George McDougal.
132	Aug. 16, "	Benjamin S. Lippincott and George McDougal.
133	" " "	Lippincott & McDougal.
134	Aug. 16, "	"
135	Sep. 25, "	George Dowling.
136	Aug. 11, "	Thomas O. Larkin.
137	" " "	"
138	" " "	"
139	July 27, "	Elbert P. Jones.
140	" " "	"
141	Aug. 16, "	McDougal & McDonald.
166	Aug. 25, "	Elbert P. Jones.
167	July 27, "	"
168	" " "	"
169	Sep. 23, "	William Glover.
170	July 27, "	Elbert P. Jones.
171	Sep. 25, "	T. M. Leavenworth.
173	Aug. 25, "	Elbert P. Jones.
174	— " "	"
175	Aug. 25, "	"
176	— " "	"
177	Aug. 25, "	"
178	Sep. 21, "	Mellus & Howard.
179	Oct. 21, "	"
180	" " "	"
181	— " "	E. P. Jones.
182	Aug. 25, "	"
183	Oct. 21, "	Mellus & Howard.
184	" " "	"

Schedule A—Continued.

No of Lot.	Date of Grant.	Grantee.
185	Oct. 21, 1847.	Mellus & Howard.
186	" "	"
187	" "	"
188	" "	"
189	" "	"
197	" "	William A. Leidsdorff.
198	" "	"
201	" "	"
202	July 26, "	"
203	" "	"
204	" "	"
205	Oct. 21, "	"
206	" "	"
207	" "	"
208	" "	"
209	" "	"
210	" "	"
211	" "	"
212	" "	"
213	" "	"
214	" "	"
215	" "	"
216	Oct. 5, "	"
217	" "	"
218	" "	"
219	" "	"
244	Sep. "	C. L. Ross.
245	" "	"
246	" "	"
247	Sep. 14, "	I. Belden.
248	" "	"
249	Sep. "	Chs. L. Ross.
250	" "	"
251	Aug. 16, "	Lippincott & McDougal.
253	Sep. "	C. L. Ross.
254	" "	"
255	" "	"
256	Oct. 5 "	W. A. Leidsdorff.
257	" "	"
258	" "	"
259	Sep. 23 "	Henry Huber.
260	Nov. 26 "	"
261	Sep. 23 "	"
262	Sep. "	I. Belden.

Schedule A—Continued.

No. of Lot	Date of Grant.	Grantee.
263	Sep. 1847.	I. Belden.
264	" "	"
265	Sep. 23, "	John Allig.
266	" "	"
267	" "	"
274	" "	"
275	" "	"
276	" "	"
277	" "	Henry Huber.
278	" "	"
279	" "	"
283	July 28, "	James Doyle.
284	" "	"
287	" "	James Enright.
288	" "	"
293	" "	James Doyle.
294	" "	"
295	Sep. 23, "	Henry Huber.
296	" "	"
297	" "	"
298	" "	"
299	July 28, "	James Doyle.
300	" "	"
303	Aug. 7, "	John Townsend.
304	Aug. 5, "	"
337	Sep. 23, "	Henry Huber.
338	" "	"
339	" "	"
340	Oct. 21, "	Mellus & Howard.
341	Sep. 23, "	"
342	Oct. 21, "	"
343	Sep. 23, "	"
344	" "	"
345	" "	"
346	" "	"
347	" "	"
348	" "	"
353	" "	"
354	" "	"
355	Oct. 21, "	"
356	Sep. 23, "	"
357	" "	"
358	" "	"
359	" "	"

Schedule A—Continued.

No. of Lot.	Date of Grant.	Grantee.
361	Sep. 23, 1847,	Mellus & Howard.
363	" "	Ch's L. Ross.
364	" "	"
365	" "	Mellus & Howard.
366	Sep. "	C. L. Ross.*
"	Sep. 23, "	Mellus & Howard.
367	Sep. "	C. L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
368	July 20, "	Ch's L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
369	July, "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
370	Sep. "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
373	July, "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
374	July, "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
375	Sep. "	C. L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
376	Sep. 20, "	" "
377	Sep. "	C. L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
378	Sep. "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
379	" "	" "
380	Sep. "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
385	Sep. "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
386	Sep. "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
387	Aug. "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
388	Sep. "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
389	July, "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
390	July, "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
391	Sep. "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.
392	Sep. "	Charles L. Ross.
"	Sep. 20, "	W. H. Warner & J. L. Folsom.

Schedule A—Continued.

No. of Lot	Date of Grant.		Grantee.
393	Sep.	1847.	Charles L. Ross.
"	Sep. 20,	"	W. H. Warner & J. L. Folsom.
394	Nov. 1,	"	H. Wager Halleck.
395	"	"	"
396	"	"	"
397	"	"	"
398	"	"	"
399	"	"	"
408	"	"	"
409	"	"	"
410	"	"	"
411	"	"	"
416	"	"	"
417	"	"	"
427	Sep. 25,	"	George Dowling.
428	Nov. 26,	"	"
429	Sep. 25,	"	"
430	"	"	"
442	Sep. 23,	"	W. A. Leidsdorff.
443	Oct. 5,	"	"
444	Sep. 23,	"	"

*The commissioners, finding that 20 lots mentioned in this schedule appeared to have been twice granted by Mr. Hyde, addressed to him the following note on the subject, and received his in reply thereto:

"San Francisco, September 25th, 1850.

George Hyde, Esq., Sir:—In searching, at the Recorder's office of this county, the books containing records of grants made during your administration as alcalde of San Francisco, I find that the water lots numbered 366, 367, 368, 369, 370, 373, 374, 375, 377, 378, 380, 385, 386, 387, 388, 389, 390, 391, 392 and 393, all appear to have been granted twice; first to C. L. Ross, and subsequently to William H. Warner and J. L. Folsom, with the exception of 366, which was granted first to C. L. Ross, and afterwards to Mellus and Howard.

Believing that there must be some error in the record, or some reason which does not appear, for these duplicate grants; and

Schedule A—Continued.

desiring to make the report to the common council of this city, on the subject of "city property," as clear and complete as possible, I beg leave to request that you will furnish me with such information as will explain the matter above referred to.

I have the honor to be

Very respectfully, your obedient servant,

ALFRED WHEELER,

Chairman Board Commissioners."

"San Francisco, October 8th, 1850.

Alfred Wheeler, Esq., Chairman Board Commissioners,

Sir:—The explanation you ask for in your letter annexed, in reference to the record of beach and water lots mentioned therein, is as follows:

All the lots mentioned, except 366, were bid off at public auction by Mr. C. L. Ross, as agent for Messrs. Folsom and Warner; but at the time of the sale this was not made known. The deeds accordingly were made out in Mr. Ross' name, and so recorded. Folsom and Warner declined receiving any deed of transfer of said lots, from Ross, without being jointly executed by Mrs. Ross, his wife, then in the state of New York. In order to oblige Folsom and Warner I caused new deeds to be made out to them, recorded them, and delivered them—the record of the deeds to Ross remaining unsigned.

I am wholly unable to explain why there is a record of lot 366 to different parties. I was not aware of the fact until you pointed it out to me, and I cannot remember any circumstances whatever in respect to it. It is possible the clerks, in recording or filling up the deed, may have made some error.

I am, very respectfully,

Your obedient servant,

GEORGE HYDE.

SCHEDULE B.

Containing water lots on East front of San Francisco, within the water lot survey; with dates of grants and names of grantees, conveyed by John W. Geary, alcalde of San Francisco, after sale at public auction, on the 3d day of January, 1850.

No. of Lot	Date of Grant	Grantee.
52	Jan. 3, 1850.	Jefferson J. Bryant.
53	"	John A. Clark.
54	"	David Logan.
55	"	William F. Nye.
56	"	George W. Thompson.
57	"	Henry Gerke.
58	"	Martin S. Roberts.
59	"	"
60	"	Edward Vischer.
61	"	James Blair.
62	"	Lafayette Maynard.
63	"	Wildes T. Thompson.
142	"	Henry Laurencel.
143	"	P. C. Gultier.
144	"	George W. Thompson.
145	"	Charles L. Ross.
146	"	"
147	"	"
148	"	"
149	"	"
150	"	"
151	"	Henry M. Naglee.
152	"	Henry Laurchcel.
153	"	"
220	"	Talbot H. Green.
221	"	"
222	"	"
223	"	Charles F. Costa.
224	"	Markwald, Caspari & Co.
225	"	Simon B. Marye.
226	"	Henry Howison.
227	"	Markwald, Caspari & Co.
228	"	Vincent M. Luco.
229	"	William H. Davis.
230	"	"
231	"	"
232	"	G. B. Post & G. T. Upham.
233	"	Fallon & Beckett.

Schedule B—Continued.

No. of List	Date of Grant.	Grantee.
234	Jan. 3, 1850.	Frank Turk.
235	"	David Logan.
236	"	Van Nostrand & Dunbar.
237	"	J. Blair & H. P. Jones.
238	"	A. R. Greene.
239	"	Vincent M. Luco.
240	"	George W. Thompson
241	"	Alfred J. Ellis.
242	"	"
243	"	"
268	"	Henry M. Naglee.
269	"	Stevenson & Parker.
270	"	"
271	"	"
272	"	"
280	"	Brannan & Osborn.
281	"	"
282	"	Henry A. Breed.
289	"	Samuel Brannan.
305	"	Wildes T. Thompson.
306	"	"
307	"	Endicott, Greene & Oakes.
308	"	Isaac McFarran.
310	"	Fallon & Beckett.
314	"	Samuel L. Burritt.
323	"	Holt & Dwinelle.
324	"	Frederick Billings.
325	"	Thomas H. Holt.
327	"	Augustus R. Greene.
328	"	"
329	"	Lafayette Maynard.
330	"	"
340	"	Talbot H. Green.
350	"	William A. Greene.
351	"	Francis Hoen.
360	"	Augustus R. Greene.
362	"	Thomas R. Korn.
381	"	Valentine Diel.
382	"	Henry Gerke.
383	"	Meyer & Kunhardt.
384	"	Alexander Bowman.
400	"	David Logan.
401	"	William A. Greene.
403	"	David Logan.

Schedule B—Continued.

No. of Lot.	Date of Grant.	Grantee.
403	Jan. 3, 1850.	David Logan.
404	"	James Blair.
405	"	P. C. Gultier.
406	"	White & Oliver.
407	"	William Paty.
412	"	Mead, Robinson & Reed.
413	"	Francis Hoen.
414	"	Valentine Diel.
415	"	Martin Waterman.
418	"	Stevenson & Parker.
419	"	"
423	"	Valentine Diel.
425	"	Norman Bugbee.
426	"	Mead, Robinson & Reed.
431	"	David Logan.
432	"	Markwald, Caspari & Co.
433	"	Francis Hoen.
434	"	William A. Greene.
435	"	Rodman M. Price.
436	"	"
437	"	"
438	"	"
439	"	"
440	"	"
441	"	"
458	"	Thomas Sprague.
461	"	Markwald, Caspari & Co.
462	"	Samuel Brannan.
464	"	Thomas Sprague.
467	"	"
468	"	Samuel Brannan.
481	"	Meyer & Kunhardt.
482	"	Henry M. Naglee.
483	"	George Sharp.
484	"	Samuel Brannan.
485	"	"
486	"	"
487	"	David Logan.
488	"	"
489	"	"
490	"	Talbot H. Green.
491	"	"
492	"	"
493	"	Frank Turk

Schedule B—Continued.

No. of Lot.	Date of Grant.	Grantee.
494	Jan. 3, 1850.	Frank Turk.
495	"	"
496	"	William M. Stewart.
497	"	"
498	"	"
499	"	Alexander Bowman.
500	"	James Blair.
501	"	Van Nostrand & Dunbar.
502	"	Alexander Bowman.
503	"	James Blair.
504	"	"
512	"	✓ Broderick & Kohler
513	"	Jacob C. Beideman.
518	"	A. M. Van Nostrand and E. E. Dunbar.
519	"	Meyer & Kunhardt.
523	"	✓ Broderick & Kohler.
527	"	Burling & Thomas.
535	"	Bame, Agate, Payran and McKinley.
536	"	Lucian Skinner.
537	"	John S. Love.
538	"	Lafayette Maynard.
539	"	J. Heron Foster.
540	"	Bame, Agate, Payran and McKinley.
541	"	James O. Callaghan.
542	"	Martin Waterman.
543	"	✓ Broderick & Kohler.
544	"	Titton & Lawton.
545	"	Samuel Brannan & J. W. Osborn.
546	"	Brannan & Osborn.
547	"	"
548	"	Frederick Billings.
549	"	A. C. Peachy.
550	"	Frederick Billings.
551	"	Brannan & Osborn.
552	"	"
565	"	Norman Bugbee.
566	"	John Munford.
567	"	Nickinson & Swain.
568	"	T. J. & J. B. West.
569	"	William M. Eddy.

Schedule B—Continued.

No. of Lot	Date of Grant.	Grantee
510	Jan. 8, 1850.	James Blair.
571	"	Titton & Lawton.
572	"	Isaac Bluxome, jr.
573	"	H. Lambert & Ford F. Low.
574	"	Bame, Arate, Payran and McKinley.
575	"	Augustus R. Greene.
576	"	Isaac Bluxome, jr.
577	"	Samuel Brannan.
578	"	"
579	"	"
581	"	Talbot H. Green.
582	"	"
583	"	"
584	"	Brannan & Osborn.
585	"	William M. Stewart.
586	"	Talbot H. Green.
587	"	William H. Davis.
589	"	Samuel Brannan.
590	"	"
591	"	Erastus V. Joice.
592	"	Franklin Cooper.
593	"	Erastus V. Joice.
594	"	Brignardello & Tarroni.
595	"	Alonzo W. Adams.
596	"	William M. Eddy.
597	"	Grant & McCarty.
598	"	James Henry Levien.
599	"	Hervey Sparks.
600	"	Henry Van Ness.
601	"	James M. Taylor.
602	"	Hervey Sparks.
603	"	T. J. & J. B. West.
604	"	Henry Van Ness.
605	"	Norman Bugbee
607	"	Hezekiah P. Jones.
608	"	Gallagher & Lounes.
609	"	George W. Letta.
610	"	Henry M. Naglee.
612	"	James C. Smith.
613	"	Brignardello & Tarroni.
614	"	David Logan.
615	"	Lafayette Maynard.
616	"	"

Schedule B—Continued.

No of Lot.	Date of Grant.	Grantee.
617	Jan. 3, 1850.	Lafayette Maynard.
619	"	David Logan.
620	"	Scott & Webber.
621	"	Broderick & Kohler.
622	"	Henry M. Naglee.
623	"	"
624	"	Hervey Sparks.
625	"	James Gallagher.
626	"	Bame, Agate, Payran and McKinley.
627	"	T. J. & J. B. West.
628	"	James O. Callaghan.
629	"	David Logan.
630	"	James Gallagher.
631	"	✓ David C. Broderick.
632	"	✓ Broderick & Kohler.
633	"	Lafayette Maynard.
634	"	"
635	"	James Gallagher.
636	"	Dennis J. Oliver.
637	"	Hervey Sparks.
638	"	"
639	"	T. J. & J. B. West.
640	"	Thomas Sprague.
641	"	James Gallagher.
642	"	Gallagher & Lounes.
643	"	Lafayette Maynard.
644	"	"
645	"	Joseph H. Levien.
646	"	James Blair.
647	"	Samuel Brannan.
648	"	James C. Smith.
649	"	Samuel Brannan.
650	"	Talbot H. Green.
651	"	"
656	"	Adolphus Van Hyman.
657	"	"
658	"	Talbot H. Green.
659	"	"
660	"	Henry M. Naglee.
661	"	A. H. Murdock and J. H. Wingate.
662	"	Talbot H. Green.
663	"	"

Schedule B—Continued.

No. of Lot.	Date of Grant.	Grantee.
664	Jan. 3, 1850.	Talbot H. Green.
665	"	"
666	"	"
667	"	"
668	"	Fallon & Beckett.
669	"	D. B. Northrop.
670	"	Alexander Bowman.
671	"	"
672	"	Talbot H. Green.
673	"	"
674	"	"
675	"	"
676	"	"
677	"	"
681	"	"
683	"	Augustus R. Greene.
684	"	Lewis Bock.
685	"	Talbot H. Green.
686	"	"
692	"	George W. Thompson.
693	"	Augustus R. Greene.
694	"	Erastus V. Joice.
695	"	Asa D. Hatch.
696	"	Scott & Webber.
697	"	Joseph H. Levien.
698	"	D. B. Northrop.
699	"	"
700	"	James Gallagher.
701	"	Broderick & Kohler.
702	"	Thomas Mathews.
703	"	A. R. Green.
704	"	Mead, Robinson and Reed.
705	"	"
706	"	"
707	"	Fallon & Beckett.
708	"	Hervey Sparks.
709	"	Whipple & Tibbits.
710	"	Lafayette Maynard.
711	"	S. M. Collins.
712	"	T. J. & J. B. West.
713	"	Killen & Baker.
714	"	Benjamin Richardson.
715	"	Thomas Mathews.
716	"	Thomas Sprague.

Schedule B—Continued.

No. of Lot.	Date of Grant.	Grantee.
717	Jan. 3, 1850.	Thomas Mathews.
718	"	Broderick & Kohler.
720	"	Lambert & Low.
722	"	Markwald, Caspari & Co.
723	"	Lewis Bock.
725	"	James Blair.
727	"	Robert E Newland.
728	"	Lewis Bock.
729	"	Friend P. Fitts.
730	"	Thomas S. Cooper.
732	"	Benjamin Richardson.
733	"	James C. Smith.
734	"	Robert Tobin.
735	"	Benjamin Richardson.
736	"	"
737	"	Broderick & Kohler.
738	"	Thomas Mathews.
739	"	Markwald, Caspari & Co.
740	"	" "
741	"	Lafayette Maynard.
742	"	William W. Palmer.
743	"	Jacob L. Dodge.
744	"	D. B. Northrop.
745	"	Hervey Sparks.
746	"	Robert Tobin.
747	"	D. B. Northrop.
748	"	"
749	"	James Henry Levien.
750	"	James M. Taylor.
751	"	George Brooks.
752	"	Hervey Sparks.
753	"	D. B. Northrop.
754	"	"
755	"	B. J. Donovan.
756	"	Murdock & Wingate.
757	"	Bame, Agate, Payran and
	"	McKinley.
758	"	Rodman M. Price.
759	"	James Gallagher.
760	"	Lambert & Low.
761	"	John A. Collins.
762	"	Lafayette Maynard.
763	"	Rodman M. Price.
764	"	James Blair.

Schedule B—Continued.

No. of Lot	Date of Grant.	Grantee.
765	Jan. 3, 1850.	Rodman M. Price.
766	"	"
768	"	Alexander Bowman.
769	"	Lewis Bock.
771	"	Lafayette Maynard.

SCHEDULE C.

Containing water lots on East front of San Francisco, within the water lot survey; with dates of grants and names of grantees, conveyed by T. M. Leavenworth, alcalde of San Francisco.

No. of Lot.	Date of Grant.	Grantee.
76	July 7, 1849.	J. D. Stevenson.
77	"	"
78	"	"
79	"	"
80	"	"
81	"	"
82	"	"
83	"	"
84	"	"
85	"	"
86	"	"
87	"	"
94	Jan. 7, 1849.	"
95	"	"
96	"	"
97	"	"
98	"	"
99	"	"
115	May 8, 1849.	Nathan Spear.
116	"	"
117	"	"
154	May 5, 1849.	Rodman M. Price, for wharf.

Schedule C—Continued.

No. of Lot.	Date of Grant.	Grantee.
155	May 5, 1849.	Rodman M. Price, for wharf.
156	"	" "
157	"	" "
158	"	" "
159	"	" "
160	"	" "
161	"	" "
162	"	" "
163	"	" "
164	"	" "
165	"	" "
172	Sep. 23, 1847.	Henry D. Cook.
252	Oct. 1847.	George Hyde.
285	Oct. 4, 1847.	"
286	"	"
317	Oct. 3, 1847.	"
318	"	"
331	Oct. 5, 1847.	"
332	October, 1847.	"
333	"	"
334	"	"
335	"	"
336	"	"
445	Sep. 9, 1848.	William L. Clark.
446	"	"
447	"	"
448	"	"
449	"	"
450	"	"
451	"	"
452	"	"
453	"	"
454	"	"
455	"	"
456	"	"
457	Sep. 25, 1848.	William C. Parker.
458	"	"
459	"	"
460	"	"
461	"	"
462	"	"
463	"	"
464	"	"
465	"	"

Schedule C—Continued.

No. of Lot.	Date of Grant.	Grantee.
466	Sep. 25, 1847.	William C. Parker.
467	"	"
468	"	"
469	"	"
470	"	"
471	"	"
472	"	"
473	"	"
474	"	"
475	"	"
476	"	"
477	"	"
478	"	"
479	"	"
480	"	"

SCHEDULE D.

Containing water lots on East front of San Francisco, within the water lot survey; with dates of grants and names of grantees, conveyed by G. Q. Colton, justice of the peace, of San Francisco.

No. of Lot.	Date of Grant.	Grantee.
19	Dec. 18, 1849.	Jacob E. Fuller.
"	" 24, 1849.	Joseph Baker.
20	" 18, 1849.	Jacob E. Fuller.
"	" 24, 1849.	Joseph Baker.
21	" 18, 1849.	Jacob E. Fuller.
"	" 24, 1849.	Joseph Baker.
22	" 18, 1849.	Henry C. Logan.
"	" 24, 1849.	Joseph Baker.
23	" 18, 1849.	Henry C. Logan.
"	" 24, 1849.	Joseph Baker.
24	" 18, 1849.	Henry C. Logan.
"	" 24, 1849.	Joseph Baker.
25	" 18, 1849.	William W. Harms.

Schedule D—Continued.

No. of Lot.	Date of Grant.	Grantee.
25	Dec. 24, 1849.	Atkins Massey.
"	"	Joseph Baker.
26	" 18, 1849.	William W. Harms.
"	" 24, 1849.	Atkins Massey.
"	"	Joseph Baker.
27	" 18, 1849.	William W. Harms.
"	" 24, 1849.	Atkins Massey.
"	"	Joseph Baker.
28	" 21, 1849.	J. Norton Ramsay.
"	" 24, 1849.	Joseph Baker.
29	" 21, 1849.	J. Norton Ramsay.
"	" 24, 1849.	Joseph Baker.
30	" 21, 1849.	J. Norton Ramsay.
"	" 24, 1849.	Joseph Baker.
31	" 17, 1849.	R. N. Morrison.
32	"	"
33	"	"
34	"	"
35	"	"
36	"	"
37	" 26, 1849.	P. W. Shepherd.
38	"	"
39	"	"
40	" 18, 1849.	C. J. Richardson.
41	"	"
50	"	"
51	"	"
55	" 21, 1849.	Charles L. Kellog.
56	"	"
57	"	"
64	"	Edward R. Greene.
73	" 22, 1849.	William A. Dana.
74	"	"
75	"	"
76	" 21, 1849.	James B. Devoe.
77	"	"
78	"	"
79	"	E. H. Boughton.
80	"	"
81	"	"
82	" 22, 1849.	William Hahn.
83	"	"
84	"	"
85	" 21, 1849.	Richard N. Allen.

Schedule D—Continued.

No. of Lot	Date of Grant.	Grantee.
86	Dec. 21, 1849.	Richard N. Allen.
87	"	"
96	" 24, 1849.	C. J. Bunker.
124	" 16, 1849.	James Clark.
125	"	"
126	"	"
130	" 18, 1849.	Robert Manning.
131	"	"
132	"	"
133	"	William Reynolds.
134	"	"
135	"	"
136	" 24, 1849.	George T. Morehouse.
137	" 24, 1849.	"
138	" 24, 1849.	"
146	" 23, 1849.	Rufus Cheever.
154	" 19, 1849.	Thomas Smith.
155	" 18, 1849.	"
156	"	"
157	" 24, 1849.	Watson Forst.
158	"	"
159	"	"
160	" 18, 1849.	Robert Bramwell.
161	"	"
162	"	"
163	"	F. De la Court Blythe.
164	"	"
165	"	"
290	" 17, 1849.	William Hunter.
291	"	"
301	" 29, 1849.	Phineas Hudson.
313	"	John Sharp, jr.
317	" 18, 1849.	John Smith.
321	" 25, 1849.	Ernest Weber.
322	"	"
334	" 18, 1849.	Leroy D. Barber.
335	"	"
336	"	"
371	" 28, 1849.	Ard. S. Marvin.
420	" 29, 1849.	Farely Alden and Charles E. Stone.
421	"	Farely Alden and Charles E. Stone.
445	" 19, 1849.	C. Crosby.

Schedule D—Continued.

No. of Lot.	Date of Grant.	Grantee.
446	Dec. 19, 1849.	C. Crosby.
447	"	"
448	"	"
449	"	"
450	"	"
451	"	"
452	"	"
453	"	"
454	"	"
455	"	"
456	"	"
457	" 25, 1849.	Henry Keidel.
463	"	"
469	" 23, 1849.	Julius C. Libbey.
470	"	"
471	"	"
472	"	Henry Gunter.
473	"	"
474	"	"
475	"	Julius C. Libbey.
476	"	"
477	"	"
478	"	Henry Gunter.
479	"	"
480	"	"
508	" 21, 1849.	John Byrne.
509	"	"
514	" 28, 1849.	George Derick.
520	Jan. 2, 1850.	W. W. Parker.
521	"	"
522	"	"
524	Dec. 23, 1849.	D. B. Northrop.
525	"	"
526	"	"
528	Jan. 2, 1850.	W. W. Parker.
529	"	"
530	"	"
531	Dec. 23, 1849.	D. B. Northrop.
532	"	"
533	"	"
553	" 20, 1849.	Washington Bartlett.
554	"	"
555	"	"
556	" 23, 1849.	Willis Spear.

Schedule D—Continued.

No. of Lot.	Date of Grant.	Grantee.
557	Dec. 23, 1849.	Willis Spear.
558	"	"
559	" 20, 1849.	Washington Bartlett.
560	"	"
561	"	"
562	" 23, 1849.	Willis Spear.
563	"	"
564	"	"
592	" 18, 1849.	A. C. Labatt.
652	" 19, 1849.	G. B. Lauton.
653	"	"
654	"	"
655	"	"

SCHEDULE E.

Containing grants of water lots adjacent to Rincon point, Clark's point and the North Beach, as made by T. M. Leavenworth, alcalde, of San Francisco; not included within the limits of Gen. Kearny's grant.

Date of Grant.	Grantee	Boundary and Description.
Oct. 6, 1848.	Jeremiah P. Wilbur.	100 vara lot 147 (see note.)
" 7, "	"	100 vara lot number 146.
Jan. 1, 1849.	Wm. M. Stewart.	50 vara lot number 745.
Aug. 26, 1848.	"	100 varas square, bounded north by 50 vara lots 740 and 741, east by Beale street, west by Fremont street and south by waters of the bay; including 50 vara lots 746 and 747.
Mch. 25, '48.	B. R. Buckelew.	100 varas square; bounded by extension of Union, Green, Front and Battery streets.

Schedule E—Continued.

Date of Grant.	Grantee.	Boundary and Description.
Mch. 24, 1848	Jacob D. Hoppe.	100 varas square; bounded by extension of Filbert, Union Front and Battery streets.
June 26, "	"	100 varas square; bounded by extension of Greenwich, Filbert, Battery and Front sts.
Mch. 23, "	"	100 varas square; bounded west by Sansome street, and on the other sides by extension of Greenwich, Filbert and Battery streets; including 50 vara lots 1073 and 1080.
"	B. R. Buckelew.	100 varas square; bounded by extension of Lombard, Greenwich, Battery and Sansome streets.
Mch. 17, "	"	100 by 50 varas; being 50 vara lots 1460 and 1466.
Sep. 9, "	Wm. S. Clark.	100 varas square; bounded by extension of Chesnut, Lombard, Sansome and Battery streets.
Mch. 23, "	J. D. Hoppe.	100 by 150 varas; bounded west by Montgomery street and on the other sides by extension of Chesnut, Lombard and Sansome streets; including 50 vara lots 1448, 1452, 1453 and 1454.
Sep. 4, "	Wm. S. Clark.	100 by 50 varas; bounded east by extension of Sansome street, north by extension of Francisco street, south by extension of Chesnut street; being 100 varas north and south, and 50 varas east and west.
July 19, "	Mills L. Callender.	100 varas square; bounded on the north, south and west by extension of Francisco, Chesnut and Montgomery streets, and east by waters of the bay.

Schedule E—Continued.

Date of Grant.	Grantee.	Boundary and Description.
June 26, 1848	B. R. Buckelew.	100 by 50 varas; bounded west by Kearny street, and on other sides by extension of Francisco, Chestnut and Montgomery sts; including 50 vara lots 1442, 1443 and 1444.
July 11, "	Jorden Jackson.	100 varas square; bounded on the north and south by extension of Bay and Francisco streets, on the west by Kearny street, and on the E. by waters of the bay.
Oct. 3, "	John Townsend.	100 by 150 varas; bounded by extension of North Point, Bay, Montgomery and Kearny streets.
Oct. 6, "	Jeremiah P. Wilbur.	100 by 150 varas; bounded south by Bay street, and on other sides by extension of North Point, Dupont and Kearny streets.
Aug. 8, "	B. R. Buckelew.	50 vara lot 759.
"	"	150 by 50 varas; being 50 vara lots 1528, 1529 and 1530.
June 25, "	Wm. C. Parker.	100 by 150 varas; bounded by extension of Mason, Powell and Bay streets, and on the south by Francisco street; being 50 vara lots 1509, 1510, 1511, 1525, 1526 and 1527.
June 26, "	E. P. Jones.	150 by 50 varas; being 50 vara lots 1495, 1496 and 1497.
June 24, "	Wm. C. Parker.	100 by 150 varas; bounded by extension of Mason, Taylor, Francisco and Bay streets, being 50 vara lots 1506, 1507, 1508, 1522, 1523 and 1524.
Aug. 29, "	E. Murray.	2 lots of 50 varas each: to wit: 1498 and 1499.

Schedule *E*—Continued.

Date of Grant.	Grantee.	Boundary and Description.
Aug. 28, 1848	E. Murray.	8 lots of 50 varas each; to wit: 1502, 1503, 1504, 1505, 1518, 1519, 1520 and 1521.
July 25, "	Charles Cobb.	50 vara lot number 753.

NOTE.—By comparing the lots in schedule *E* with the map it will be seen that many of the lots described are but partially covered with water, the shore line running through them. Where the lot, as laid down upon the map, lies either wholly or in part upon the bay, it is reported as a water lot.

Some of the grants also cover more property than is here mentioned, that portion only being described herein which is covered wholly or in part by the waters of the bay. Where there is a portion of either of the grants composed of lots wholly upon the shore, such part will be mentioned in the report of the commissioners upon the subject of the 50 vara lots.

SCHEDULE *F*.

Containing grants of water lots adjacent to Rincon Point, Clark's point and the north Beach, as made by G. Q. Colton, justice of the peace, not included within the limits of General Kearny's grant.

Date of Grant.	Grantee.	Boundary and Description.
Dec. 27, 1849	Edward D. Weld.	100 vara lot 167 (see note.)
" 23, "	Joseph F. Brownell.	100 vara lot 158; extended south-east to ship's channel.
" 25, "	Wm. A. Mauran.	100 vara lot 157.
" 19, "	Douglass Ottinger.	50 varas; commencing at south-east corner of Townsend and Second sts., and extending south-east to ship's channel; being a portion of 100 vara lot No. 150.

Schedule F—Continued.

Date of Grant.	Grantee.	Boundary and Description.
Dec. 18, 1849	William T. Mills.	50 vara lot No. 745.
"	William Mann.	100 vara lot No. 148.
" 19, "	Wadsworth Grigg.	100 vara lot No. 145.
"	Norman Bugbee.	100 by 50 varas; bounded west by Beale street, north and east by extension of Folsom and Front sts., and south by a line, distant 50 varas south from Folsom street.
Jan. 10, 1850	Charles Warner.	50 varas square; on south-west corner of Spear and Folsom streets.
"	George E. Schenck.	50 varas square; on east side of front street extended; commencing 50 varas south from south-east corner of Front and Folsom streets.
Dec. 19, 1849	John Hagerthy.	100 varas square; bounded by extension of Vallejo, Broadway, Front and Davis street.
"	Harmon Pease.	50 vara lot No. 569.
"	Joseph B. Lynde.	50 vara lot No. 571.
"	George E. Webster.	50 vara lot No. 1491.
"	Charles W. Lawton.	50 vara lot No. 1486.
"	Julius K. Rose.	50 vara lot No. 1480.
" 18, "	William H. Tiffany.	50 vara lot No. 1473.
"	Joachim D. Sylveria.	50 vara lot No. 1473, extended east to ship's channel.
" 19, "	George W. Vincent.	50 vara lot No. 1466.
"	John Satterlee.	50 vara lot No. 1460.
" 18, "	John G. Armstrong.	50 vara lots Nos. 1452 and 1453, extended east to ship's channel.
"	John Proctor.	50 vara lots Nos. 1448 and 1454, extended east to ship's channel.
" 19, "	Alex. Thompson.	50 vara lot No. 1443.
" 20, "	Hiram Grimes.	50 vara lot No. 1442.
" 19, "	Richard Myers.	50 vara lot No. 1442, extended east to ship's channel.

Schedule F—Continued.

Date of Grant.	Grantee.	Boundary and Description.
Dec. 24, 1849	John S. Robb.	100 varas; bounded north and south by extension of Bay and Francisco sts., west by Kearny st. and extending east to ship's channel.
" 18, "	James H. Ensign.	50 varas; extended north to ship's channel, bounded south by Bay street, east by Kearny and west by a line 50 varas west from Kearny.
"	William H. Norris.	50 varas; extended north to ship's channel, bounded south by Bay street, east by a line 50 varas west from Kearny street, and west by a line 50 varas east from Dupont street.
"	J. F. Bogerton.	50 varas; extended north to ship's channel, bounded south by Bay street, west by Dupont street, and east by a line 50 varas east from Dupont street.
"	D. W. Coit.	50 varas; extended north to ship's channel, bounded east by Dupont street, south by Bay street and west by a line 50 varas west from Dupont street.
"	Benjamin W. Mudge.	50 varas; extended north to ship's channel, bounded south by Bay street, east by a line 50 varas west from Dupont street, west by a line 50 varas east from Stockton street.
"	Charles W. Hayden.	50 vara lot No. 759; extended north to ship's channel.
"	James W. Fiuley.	50 vara lot No. 1530; extended north to ship's channel.
"	Edwin Bell.	50 vara lot 1529; extended north to ship's channel.

Schedule F—Continued.

Date of Grant.	Grantee.	Boundary and Description.
Dec. 18, 1849.	Cadwalder Ringgold	50 vara lot 1528; extended north to ship's channel.
"	P. A. Brinsmade.	50 vara lots 1511 and 1527; extended north to ship's channel.
"	J. A. Collins.	50 vara lots 1510 and 1526; extended N. to ship's channel
"	Thos. L. Muzzine.	50 vara lots 1509 and 1525; extended north to ship's channel.
"	William Ladd.	50 vara lots 1495, 1496, 1507, 1508, 1523 and 1524; extended north to ship's channel.
" 17, "	John B. Halleck.	50 vara lots 1497, 1506 and 1522; extended north to ship's channel.
" 18, "	John Johnston.	50 vara lots 1498, 1505 and 1521; extended north to ship's channel.
"	E. M. Dorr.	50 vara lots 1499, 1504 and 1520; extended north to ship's channel.
"		50 vara lot 1502.
"	Sebastian S. Lascala.	50 vara lot 1518; extended north to ship's channel.
"	Oscar Gonzales.	50 varas; extended north to ship's channel, bounded south by Bay street, east by a line 50 varas west from Jones' street, west by a line 50 varas east from Leavenworth street.
"	Lewis Gibson.	50 varas; extended north to ship's channel, bounded south by 50 vara lot 764, west by Leavenworth street and east by a line 50 varas east from Leavenworth st.
"	Alfred S. Leton.	50 vara lots 1441 and 1159; extended north to ship's channel.
" 11, "	John M. Doyle.	50 vara lot 1105; extended north to ship's channel.
" 18, "	George B. Post.	50 vara lot 1105; extended north to ship's channel.

Schedule *F*—Continued.

NOTE.—By comparing the lots in schedule *F* with the map, it will be seen that many of the lots described are but partially covered with water, the shore line running through them. Where the lot as laid down upon the map, lies either wholly or in part upon the bay, it is reported as a water lot. Some of the grants also cover more property than is here mentioned, that portion only, being described herein which is covered wholly or in part by the waters of the bay. Where there is a portion of either of the composed grants of lots wholly upon the shore, such part will be mentioned in the report of the commissioners upon the subject of the 50 vara lots.



SCHEDULE G.

Containing miscellaneous original grants of lots and privileges upon the water fronts of the city of San Francisco, made by various alcaldes, ayuntamientos and others.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate Conveyed.
Grant of a tract "not to exceed 400 varas" and which by the record appears to have been located, by the grantee upon that portion of the east front of San Francisco; bounded north by Broadway, south by Washington street, west by Sansome street and east extending to ship's channel.	Dec. 10, 1842.	Alvarado, Governor of California.	Robert Elwell.	Grant, upon petition for lease to establish a place to salt cattle skins.
Part of the east front of San Francisco, bounded north by Jackson street, south by Washington, west by Montgomery and extending east to ship's channel.	Nov. 27, 1849.	E. D. Keyes, Capt. U. S. Army.	Theo. Shillaber.	Lease for 10 years at \$2000 per an.

Schedule G—Continued.

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate Conveyed.
100	June 24, 1839.	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia Fec.	
101				
102				
103				
104				
105				
106				
107				
108				
109				
110				
111				
Of the water lot survey.				
112	May 14, 1846.	José de la Cruz San- chez, 2d Jues de Paz.	James Alex. Forbes Fec.	
113				
114				
Of the water lot survey.				

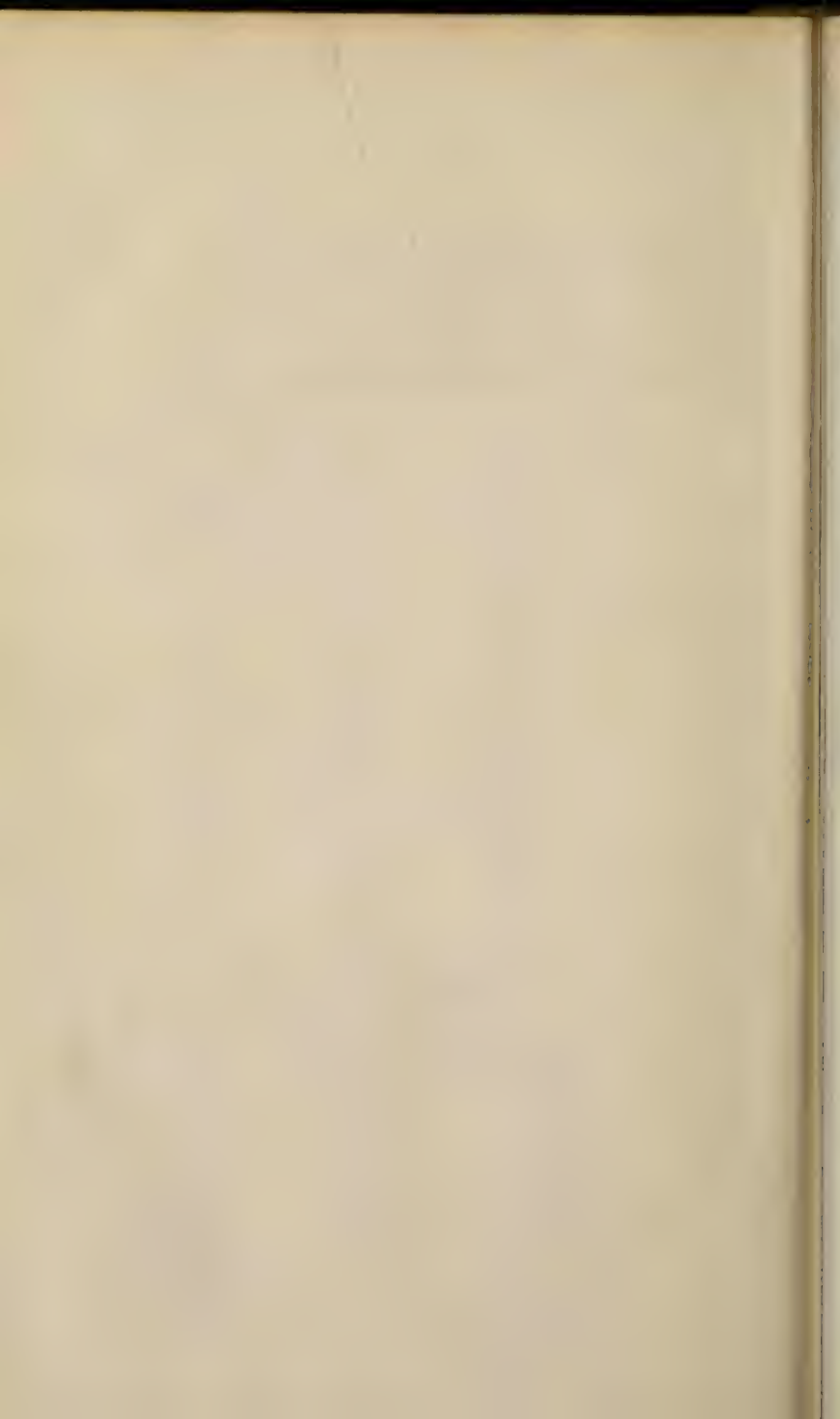
Schedule G—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate Conveyed.
190	May 15, 1846.	Pio Pico, Governor of California.	Ana Maria Galinda, wife of Alexander Forbes.	Fee.
191				
192				
193				
194				
195				
Of the water lot survey.	Dec. 15, 1849.	John W. Geary, Alcalde.	Daniel O'Brien.	Fee; Town sale.
186				
Of the 100 vara survey.				
459				
460				
465	Jan. 3, 1850.	John W. Geary, Alcalde.	Town of San Francisco.	Appropriated for reserves, by order of town council.
466				
505				
506				
507				
679				
680				
687				
688				
689				
690				
Of the water lot survey.				

Schedule G—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate Conveyed.
Part of the north front of San Francisco; bounded south by Bay street, east by Mason street, west by Taylor street and extending north to ship's channel.	March 19, 1850.	John W. Geary, Alcalde.	J. D. Stevenson, W. C. Parker, Aaron Pollard, Edward Wadhams, Beverly Miller, John B. Sturzenegger, Benjamin F. Edwards.	Grant, by order of town council, conditioned for building a wharf.
Of the 50 vara survey.	571 } June 9, 1847.	George Hyde, Alcalde.	B. R. Buckelew.	Fee.
Of the 50 vara survey.	1486 } 1487 } 1491 } 1492 } June 12, 1847.	George Hyde, Alcalde.	William Hood.	Fee.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate Conveyed.
Part of the beach and water lots on the east front of San Francisco; bounded north by Clay street, south by Sacramento street, west by Battery street and extending east to ship's channel.	May 3, 1849.	Legislative Assembly of San Francisco, by Francis J. Lippitt, speaker.	Central Wharf Joint Stock Company.	"Act to incorporate the Central Wharf Joint Stock Company, of San Francisco, California," containing a lease for 99 years, of the property described, and authorizing a wharf to be constructed thereon. The land on each side to remain covered with water as a basin for vessels.



1

SYNOPSIS

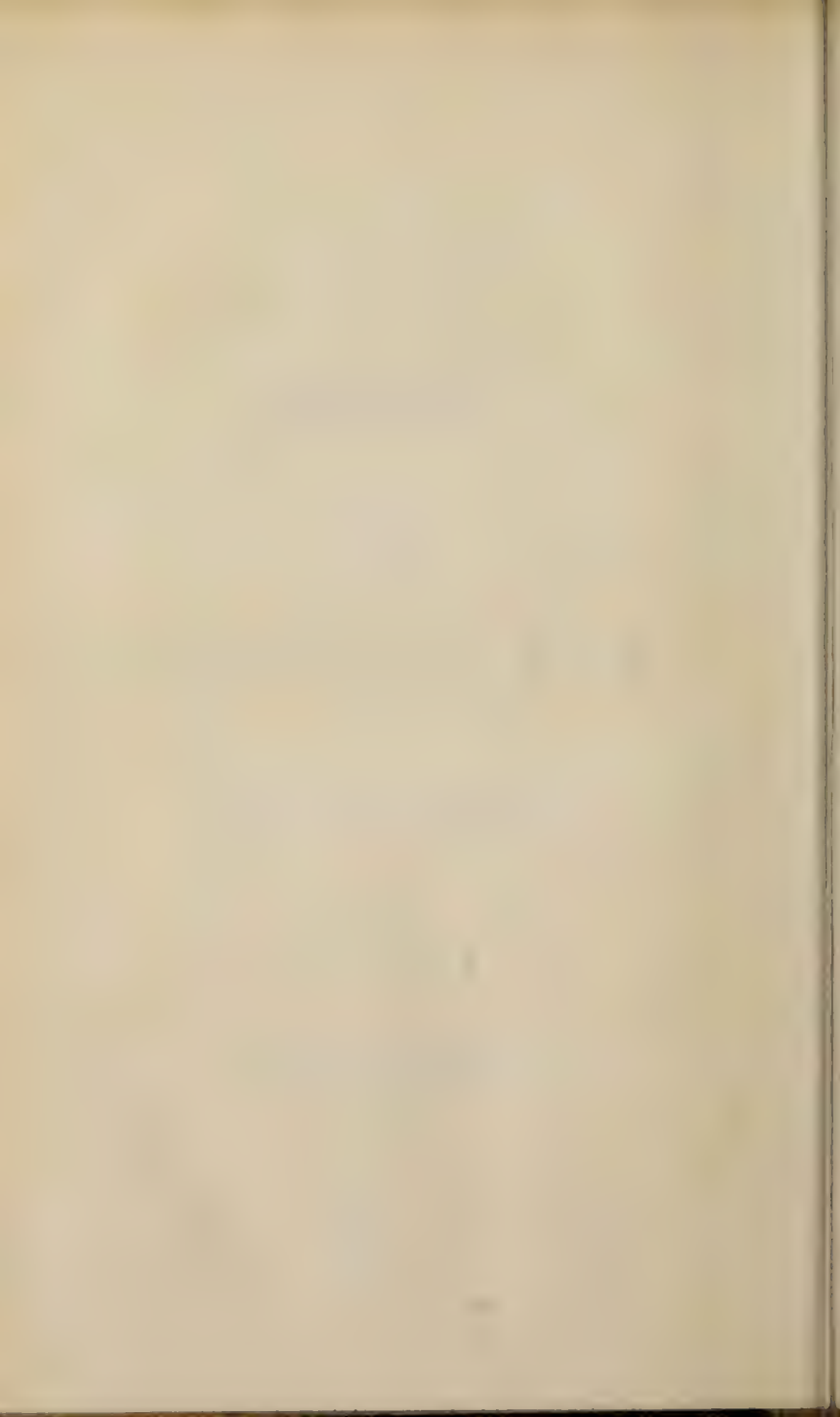
OF ALL THE

BEACH AND WATER LOTS,

ON THE EAST FRONT

OF THE CITY OF

SAN FRANCISCO.



SYNOPSIS

Of all the water lots upon the East front of the city of San Francisco; also dates of grants, and names of original grantors and grantees, of those lots which have been sold, granted, leased or disposed of, so far as can be ascertained from the records in this city.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
1	Sep. 20, 1847.	George Hyde, Alcalde.	William Pettet.	Fee; Town Sale.
2	"	"	W. L. Clark.	"
3	Oct. 23, 1847.	"	Alexander Hather.	"
4	Sep. 23, 1847.	"	William Hood.	"
5	"	"	"	"
6	"	"	"	"
7	"	"	William Pettet.	"
8	"	"	William Hood.	"
9	"	"	"	"
10	"	"	"	"
11	"	"	"	"
12	"	"	John Allig.	"
13	"	"	B. R. Buckelew.	"
14	"	"	William Pettet.	"
15	"	"	W. L. Clark.	"
16	"	"	"	"
17	"	"	"	"
18	"	"	"	"
19	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
19	Dec. 18, 1849.	G. Q. Colton, Justice.	Jacob E. Fuller.	Grant on Petition.
"	" 24, "	"	Joseph Baker.	"
20	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 18, 1849.	G. Q. Colton, Justice.	Jacob E. Fuller.	"
"	" 24, "	"	Joseph Baker.	"
21	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 18, 1849.	G. Q. Colton, Justice.	Jacob E. Fuller.	"
"	" 24, "	"	Joseph Baker.	"
22	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 18, 1849.	G. Q. Colton, Justice.	Henry C. Logan.	"
"	" 24, "	"	Joseph Baker.	"
23	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 18, 1849.	G. Q. Colton, Justice.	Henry C. Logan.	"
"	" 24, "	"	Joseph Baker.	"
24	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 18, 1849.	G. Q. Colton, Justice.	Henry C. Logan.	"
"	" 24, "	"	Joseph Baker.	"
25	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 18, 1849.	G. Q. Colton, Justice.	William W. Harms.	"
"	" 24, "	"	Atkins Massey.	"
"	" "	"	Joseph Baker.	"
26	" 10, 1842.	Alvarado Governor.	Robert Elwell.	"
"	" 18, 1849.	G. Q. Colton, Justice.	William W. Harms.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
26	Dec. 24, 1849.	G. Q. Colton, Justice.	Atkins Massey.	Grant on Petition.
"	"	"	Joseph Baker.	"
27	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 18, 1849.	G. Q. Colton, Justice.	William W. Harms.	"
"	" 24, "	"	Atkins Massey.	"
"	" 24, 1849.	"	Joseph Baker.	"
28	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 21, 1849.	G. Q. Colton, Justice.	J. Norton Ramsay.	"
"	" 24, "	"	Joseph Baker.	"
29	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 21, 1849.	G. Q. Colton, Justice.	J. Norton Ramsay.	"
"	" 24, "	"	Joseph Baker.	"
30	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 21, 1849.	G. Q. Colton, Justice.	J. Norton Ramsay.	"
"	" 24, "	"	Joseph Baker.	"
31	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 17, 1849.	G. Q. Colton, Justice.	R. N. Morrison.	"
32	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 17, 1849.	G. Q. Colton, Justice.	R. N. Morrison.	"
33	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 17, 1849.	G. Q. Colton, Justice.	R. N. Morrison.	"
34	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 17, 1849.	G. Q. Colton, Justice.	R. N. Morrison.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
35	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition
"	" 17, 1849.	G. Q. Colton, Justice.	R. N. Morrison.	"
36	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 17, 1849.	G. Q. Colton, Justice.	R. N. Morrison.	"
37	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 26, 1849.	G. Q. Colton, Justice.	P. W. Shephard.	"
38	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 26, 1849.	G. Q. Colton, Justice.	P. W. Shephard.	"
39	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	" 26, "	G. Q. Colton, Justice.	P. W. Shephard.	"
40	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	Aug. 25, 1847.	George Hyde, Alcalde.	Elbert P. Jones.	Fee; Town Sale.
"	Dec. 18, 1849.	G. Q. Colton, Justice.	C. J. Richardson.	Grant on Petition.
41	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	Sep. 23, 1847.	George Hyde, Alcalde.	John Joice.	Fee; Town Sale.
"	Dec. 18, 1849.	G. Q. Colton, Justice.	C. J. Richardson.	Grant on Petition.
42	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	Aug. 25, 1847.	George Hyde, Alcalde.	Robert Elwell.	Fee; Town Sale.
43	Dec. 10, 1842.	Alvarado, Governor.	Elbert P. Jones.	Grant on Petition.
"	Aug. 26, 1847.	George Hyde, Alcalde.	Robert Elwell.	Fee; Town Sale.
44	Dec. 10, 1842.	Alvarado, Governor.	Win. A. Leidsdorff.	Grant on Petition.
"	Sep. 28, 1847.	George Hyde, alcalde.	Robert Elwell.	Fee; Town Sale.
45	Dec. 10, 1842.	Alvarado, Governor.	E. P. Jones.	Grant on Petition.
			Robert Elwell.	

No of Lot.	Date of Grant.	Grantor.	Grantee	Estate and how Conveyed.
45	Sep. 23, 1847.	George Hyde, Alcalde.	William Pettet.	Fee; Town Sale.
46	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Sep. 23, 1847.	George Hyde, Alcalde.	William Pettet.	Fee; Town Sale.
47	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Sep. 28, 1847.	George Hyde, Alcalde.	E. P. Jones.	Fee; Town Sale.
48	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Sep. 10, 1847.	George Hyde, Alcalde.	Wm. A. Leidsdorff.	Fee; Town Sale.
49	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Aug. 25, 1847.	George Hyde, Alcalde.	Robert P. Jones.	Fee; Town Sale.
50	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Aug. 25, 1847.	George Hyde, Alcalde.	Robert P. Jones.	Fee; Town Sale.
"	Dec. 18, 1849.	G. Q. Colton, Justice.	C. J. Richardson.	Grant on Petition.
51	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	Aug. 25, 1847.	George Hyde, Alcalde.	Elbert P. Jones.	Fee; Town Sale;
"	Dec. 18, 1849.	G. Q. Colton, Justice.	C. J. Richardson.	Grant on Petition.
52	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	"
"	Jan. 3, 1850.	John W. Geary, Alcalde.	Jefferson J. Bryant.	Fee; Town Sale.
53	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Jan. 3, 1850.	John W. Geary, Alcalde.	John A. Clark.	Fee; Town Sale.
54	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Jan. 3, 1850.	John W. Geary, Alcalde.	David Logan.	Fee; Town Sale.
55	Dec. 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Dec. 21, 1849.	G. Q. Colton, Justice.	Charles L. Kellog.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Graatee.	Estate and how Conveyed.
55	Jan 3, 1850	John W. Geary, Alcalde.	William F. Nye.	Fee; Town Sale.
56	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Dec 21, 1849	G. Q. Colton, Justice.	Charles L. Kellog.	"
"	Jan 3, 1850	John W. Geary, Alcalde.	Geo. W. Thompson.	Fee; Town Sale.
57	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Dec. 21, 1849	J. Q. Colton, Justice.	Charles L. Kellog.	"
"	Jan 3, 1850	John W. Geary, Alcalde.	Henry Gerke.	Fee; Town Sale.
58	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Jan 3, 1850	John W. Geary, Alcalde.	Martin S. Roberts.	Fee; Town Sale.
59	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Jan 3, 1850	John W. Geary, Alcalde.	Martin S. Roberts.	Fee; Town Sale.
60	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Jan 3, 1850	John W. Geary, Alcalde.	Edward Vischer.	Fee; Town Sale.
61	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Jan 3, 1850	John W. Geary, Alcalde.	James Blair.	Fee; Town Sale.
62	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Jan 3, 1850	John W. Geary, Alcalde.	Lafayette Maynard	Fee; Town Sale.
63	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Jan. 3, 1850	John W. Geary, Alcalde.	Wildes T. Thompson	Fee; Town Sale.
64	Dec. 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
"	Dec 21, 1849	G. Q. Colton, Justice.	Edward R. Greene.	Grant on Petition.
65	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	"

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
65	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
66	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
67	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
68	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
69	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
70	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
71	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
72	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
73	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
"	Dec 22, 1842	G. Q. Colton, Justice.	Robert Elwell.	Grant on Petition.
74	Dec 10, 1842	Alvarado, Governor.	William A. Dana.	Lease for 10 years.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Robert Elwell.	Grant on Petition.
"	Dec 22, 1842	G. Q. Colton, Justice.	Theo. Shillaber.	Grant on Petition.
75	Dec 10, 1842	Alvarado, Governor.	William A. Dana.	Lease for 10 years.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Robert Elwell.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
75	Dec 22, 1849	G. Q. Colton, Justice.	William A. Dana.	Grant on Petition.
76	" 10, 1842	Alvarado, Governor.	Robert Elwell.	" "
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, " "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
77	Dec 21, " "	G. Q. Colton, Justice.	James B. Devoe.	" "
"	1842	Alvarado, Governor.	Robert Elwell.	" "
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, " "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
78	Dec 21, " "	G. Q. Colton, Justice.	James B. Devoe.	" "
"	" 10, 1842	Alvarado, Governor.	Robert Elwell.	" "
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, " "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
79	Dec 21, " "	G. Q. Colton, Justice.	James B. Devoe.	" "
"	" 10, 1842	Alvarado, Governor.	Robert Elwell.	" "
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, " "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
80	Dec 21, " "	G. Q. Colton, Justice.	E. H. Boughton.	" "
"	" 10, 1842	Alvarado, Governor.	Robert Elwell.	" "
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, " "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
81	Dec 21, " "	G. Q. Colton, Justice.	E. H. Boughton.	" "
"	" 10, 1842	Alvarado, Governor.	Robert Elwell.	" "
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
81	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
"	Dec. 21, "	G. Q. Colton, Justice.	E. H. Boughton.	Grant on Petition.
82	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	" "
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
"	Dec 22, "	G. Q. Colton, Justice.	William Hahn.	" "
83	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	" "
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
"	Dec 22, "	G. Q. Colton, Justice.	William Hahn.	" "
84	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Lease for 10 years.
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Grant on Petition.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	" "
"	Dec 22, "	G. Q. Colton, Justice.	William Hahn.	Lease for 10 years.
85	" 10, 1842.	Alvarado, Governor.	Robert Elwell.	Grant on Petition.
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	" "
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
"	Dec 21, "	G. Q. Colton, Justice.	Richard N. Allen.	Grant on Petition.
86	" 10, 1842	Alvarado, Governor.	Robert Elwell.	" "
"	July 7, 1849	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
"	Dec 21, "	G. Q. Colton, Justice.	Richard N. Allen.	" "
87	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Lease for 10 years.

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
87	July 7, 1849.	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Grant on Petition.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
"	Dec 21, "	G. Q. Colton, Justice.	Richard N. Allen.	Grant on Petition.
88	Sep. 20, 1847.	George Hyde, Alcalde.	B. R. Buckelew.	Fee; Town Sale.
89	"	"	"	"
90	"	"	"	"
91	Aug. 6, 1847.	"	William Hood.	"
92	Sep. 23, 1847.	"	Dixon & Hay.	"
93	July 20, "	"	A. J. Ellis	"
94	Jan. 7, 1849.	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Grant on Petition.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
95	Jan 7, "	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Grant on Petition.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
96	Jan 7, "	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Grant on Petition.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
"	Dec. 24, "	G. Q. Colton, Justice.	C. J. Bunker.	Grant on Petition.
97	Jan. 7, "	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
98	Jan. 7, "	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
99	Jan. 7, "	T. M. Leavenworth, Alcalde.	J. D. Stevenson.	Lease for 10 years.
"	Nov 27, "	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Grant on Petition.
100	June 24, 1839.	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
100	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
101	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
102	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
103	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
104	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
105	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
106	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. E. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
107	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
108	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
109	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
110	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.
111	June 24, 1839	Francisco Guerrero, Jues de Paz.	Jose Manuel Garcia.	Grant on Petition.
"	Nov 27, 1849	E. D. Keyes, Capt. U. S. A.	Theo. Shillaber.	Lease for 10 years.

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
112	May 14, 1846.	Jose de la Cruz Sanchez, 2d Jues de Paz.	James Alex. Forbes.	Grant on Petition.
113	"	"	"	"
114	"	"	"	"
115	May 8, 1849.	T. M. Leavenworth, Alcalde.	Nathan Spear.	"
116	"	"	"	"
117	"	"	"	"
118	Sep. 23, 1847.	George Hyde, Alcalde.	Shelly & Norris.	Fee; Town Sale.
119	Dec. 7, 1847.	"	Thomas O. Larkin.	"
120	Aug. 16, 1847.	"	Lippincott & McDougal.	"
121	" 25, "	"	Elbert P. Jones.	"
122	Sep. 23, 1847.	"	J. S. Reed.	"
123	Aug. 11, 1847.	"	Thomas O. Larkin.	"
124	"	"	Benjamin S. Lippincott and George McDougal	"
"	Dec. 16, 1849	G. Q. Colton, Justice.	James Clark.	Grant on Petition.
125	Aug. 11, 1847	George Hyde, Alcalde.	Thomas O. Larkin.	Fee; Town Sale.
"	Dec. 16, 1849	G. Q. Colton, Justice.	James Clark.	Grant on Petition.
126	Aug. 11, 1847.	George Hyde, Alcalde.	Thomas O Larkin.	Fee; Town Sale.
"	Dec. 16, 1849.	G. Q. Colton, Justice.	James Clark.	Grant on Petition.
127	Sep. 23, 1847.	George Hyde, Alcalde.	J. S. Reed.	Fee; Town Sale.
128	Aug. 25, 1847.	"	E. P. Jones.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
129	" 16, 1847.	George Hyde, Alcalde.	Benjamin S. Lippincott & George McDougal.	Fee; Town Sale.
130	"	"	George McDougal.	"
"	Dec. 18, 1849.	G. Q. Colton, Justice.	Robert Manning.	Grant on Petition.
131	Aug. 16, 1847.	George Hyde, Alcalde.	Benjamin S. Lippincott & George McDougal.	Fee; Town Sale.
"	Dec. 18, 1849.	G. Q. Colton, Justice.	Robert Manning.	Grant on Petition.
132	Aug. 16, 1847.	George Hyde, Alcalde.	Benjamin S. Lippincott & George McDougal.	Fee; Town Sale.
"	Dec 18, 1849.	G. Q. Colton, Justice.	Robert Manning.	Grant on Petition.
133	Aug. 16, 1847.	George Hyde, alcalde.	Lippincott & McDougal.	Fee; Town Sale.
"	Dec 18, 1849	G. Q. Colton, Justice.	William Reynolds.	Grant on Petition.
134	Aug. 16, 1847	George Hyde, Alcalde.	Lippincott & McDougal.	Fee; Town Sale.
"	Dec 18, 1849	G. Q. Colton, Justice.	William Reynolds.	Grant on Petition.
135	Sep. 25, 1847.	George Hyde, Alcalde.	George Dowling.	Fee; Town Sale.
"	Dec 18, 1849	G. Q. Colton, Justice.	William Reynolds.	Grant on Petition.
136	Aug. 11, 1847.	George Hyde, Alcalde.	Thomas O. Larkin.	Fee; Town Sale.
"	Dec. 24, 1849.	G. Q. Colton, Justice.	George T. Morehead.	Grant on Petition.
137	Aug. 11, 1847.	George Hyde, alcalde.	Thomas O. Larkin.	Fee; Town Sale.
137	Dec. 24, 1849.	G. Q. Colton, Justice.	George T. Morehead.	Grant on Petition.
138	Aug. 11, 1847.	George Hyde, Alcalde.	Thomas O. Larkin.	Fee; Town Sale.
"	Dec. 24, 1849.	G. Q. Colton, Justice.	George T. Morehead.	Grant on Petition.
139	July 27, 1847.	George Hyde, Alcalde.	Elbert P. Jones.	Fee; Town Sale.

Synopsis Continued.

No. of Lot	Date of Grant.	Grantor.	Grantee	Estate and how Conveyed.
140	July 24, 1847.	Alcalde, George Hyde,	Elbert P. Jones.	Fee; Town Sale.
141	Aug. 16, 1847.	"	McDougal & McDonald.	"
142	Jan 3, 1850.	John W. Geary, Alcalde.	Henry Lawrence.	"
143	"	"	P. C. Galtier.	"
144	"	"	George W. Thompson.	"
145	"	"	Charles L. Ross.	"
146	Jan 3, 1850.	"	"	"
"	Dec 23, 1849.	G. Q. Colton, Justice.	Rufus Cheever.	Grant on Petition.
147	Jan 3, 1850.	John W. Geary, Alcalde.	Charles L. Ross.	Fee; Town Sale.
148	"	"	"	"
149	"	"	"	"
150	"	"	"	"
151	"	"	Henry M. Naglee.	"
152	"	"	Henry Lawrence.	"
153	"	"	"	"
154	May 5, 1849.	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 19, "	G. Q. Colton, Justice.	Thomas Smith.	Grant on Petition.
155	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 19, "	G. Q. Colton, Justice.	Thomas Smith.	Grant on Petition.
156	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 19, "	G. Q. Colton, Justice.	Thomas Smith.	Grant on Petition.
157	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 24, "	G. Q. Colton, Justice.	Watson Forst.	Grant on Petition.

Synopsis Continued.

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
158	May 5, 1849.	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 24, "	G. Q. Colton, Justice.	Watson Forst.	Grant on Petition.
159	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 24, "	G. Q. Colton, Justice.	Watson Forst.	Grant on Petition.
160	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 18, "	G. Q. Colton, Justice.	Robert Bramwel.	Grant on Petition.
161	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 18, "	G. Q. Colton, Justice.	Robert Bramwel.	Grant on Petition.
162	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 18, "	G. Q. Colton, Justice.	Robert Bramwel.	Grant on Petition.
163	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 18, "	G. Q. Colton, Justice.	F. De la Court Blythe.	Grant on Petition.
164	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 18, "	G. Q. Colton, Justice.	F. De la Court Blythe.	Grant on Petition.
165	May 5, "	T. M. Leavenworth, Alcalde.	Rodman M. Price.	Grant for a Wharf.
"	Dec. 18, "	G. Q. Colton, Justice.	F. De la Court Blythe.	Grant on Petition.
166	Aug. 25, 1847.	George Hyde, Alcalde.	Elbert P. Jones.	Fee; Town Sale.
167	July 27, "	"	"	"
168	"	"	"	"
169	Sep. 23, "	"	William Glover.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
170	July 27, 1847	George Hyde, Alcalde.	Elbert P. Jones.	Fee; Town Sale.
171	Sep. 25, "	"	T. M. Leavenworth.	"
172	" 23, "	T. M. Leavenworth, Alcalde.	Henry D. Cooke.	Grant on Petition.
173	Aug. 25, "	George Hyde, Alcalde.	Elbert P. Jones.	Fee; Town Sale.
174	" "	"	"	"
175	Aug. 25, "	"	"	"
176	" "	"	"	"
177	Aug. 25, "	"	"	"
178	Sep. 21, "	"	Mellus & Howard.	"
179	Oct. 21, "	"	"	"
180	" "	"	"	"
181	" "	"	E. P. Jones.	"
182	Aug. 25, "	"	"	"
183	Oct. 21, "	"	Mellus & Howard.	"
184	" "	"	"	"
185	" "	"	"	"
186	" "	"	"	"
187	" "	"	"	"
188	" "	"	"	"
189	Oct. 21, 1847.	George Hyde, Alcalde.	Mellus & Howard.	"
190	May 15, 1846.	Pio Pico, Governor.	Ana Maria Galinda, wife of Alexander Forbes.	Grant on Petition.

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how conveyed.
191	May 15, 1846.	Pio Pico, Governor.	Ana Maria Galinda, wife of Alexander Forbes.	Grant on Petition.
192	"	"	"	"
193	"	"	"	"
194	"	"	"	"
195	"	"	"	"
196*				
197	Oct. 21, 1847.	George Hyde, Alcalde.	Wm. A. Leidsdorff.	"
198	"	"	"	"
199*				
200*				
201	Oct. 21, 1847.	George Hyde, Alcalde.	Wm. A. Leidsdorff.	Fee; Town Sale.
202	July 26, 1847.	"	"	"
203	"	"	"	"
204	"	"	"	"
205	"	"	"	"
206	Oct. 21, 1847.	"	"	"
207	"	"	"	"
208	"	"	"	"
209	"	"	"	"
210	"	"	"	"
211	"	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.	
				Fee;	Town Sale.
212	Oct. 21, 1847.	George Hyde, Alcalde.	Wm. A. Leidsdorff.	"	"
213	"	"	"	"	"
214	"	"	"	"	"
215	"	"	"	"	"
216	" 5,	"	"	"	"
217	"	"	"	"	"
218	"	"	"	"	"
219	"	"	"	"	"
220	Jan. 3, 1850.	John W. Geary, Alcalde.	Talbot H. Green.	"	"
221	"	"	"	"	"
222	"	"	"	"	"
223	"	"	Charles F. Costa.	"	"
224	"	"	Markwald, Caspari & C.	"	"
225	"	"	Simon B. Marye.	"	"
226	"	"	Henry Howison.	"	"
227	"	"	Markwald, Caspari & Co.	"	"
228	"	"	Vincent M. Lucio.	"	"
229	"	"	William H. Davis.	"	"
230	"	"	"	"	"
231	"	"	"	"	"
232	"	"	G. B. Post & G. T. Upham	"	"
233	"	"	Fallon & Beckett.	"	"
234	"	"	Frank Turk.	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Gran tor.	Grantee.	Estate and how Conveyed.
235	Jan 3, 1850.	John W. Geary, Alcalde.	David Logan.	Dec; Town Sale.
236	" "	" "	Van Nostrand & Dunbar.	" "
237	" "	" "	J. Blair & H. P. Jones.	" "
238	" "	" "	A. R. Greene.	" "
239	" "	" "	Vincent M. Lucio.	" "
240	" "	" "	George W. Thompson.	" "
241	" "	" "	Alfred J. Ellis.	" "
242	" "	" "	" "	" "
243	" "	" "	" "	" "
244	Sep. " 1847.	George Hyde, Alcalde.	Charles L. Ross.	" "
245	" "	" "	" "	" "
246	" "	" "	" "	" "
247	Sep. 14, 1847.	" "	J. Belden.	" "
248	" "	" "	" "	" "
249	Sep. " 1847.	" "	Charles L. Ross.	" "
250	" "	" "	" "	" "
251	Aug. 16, 1847.	" "	Lippincott & McDougal.	" "
252	Oct. 1847.	T. M. Leavenworth, Alcalde.	George Hyde.	" "
253	Sep. 1847.	George Hyde, Alcalde.	Charles L. Ross.	" "
254	" "	" "	" "	" "
255	" "	" "	" "	" "
456	Oct. 5, " "	" "	William A. Leidsdorff.	" "
257	" "	" "	" "	" "

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
258	Oct. 5, 1847.	George Hyde, Alcalde.	William A. Leidsdorff.	Fee; Town Sale.
259	Sep. 23, 1847.	"	Henry Huber	"
260	Nov 26, "	"	"	"
261	Sep. 23, "	"	J. Belden	"
262	Sep. 1847.	"	"	"
263	"	"	"	"
264	"	"	"	"
265	Sep 23, 1847.	"	John Allig.	"
266	"	"	"	"
267	"	"	"	"
268	Jan 3, 1850.	John W. Geary, Alcalde.	Henry M. Naglee.	"
269	"	"	Stevenson & Parker.	"
270	"	"	"	"
271	"	"	"	"
272	"	"	"	"
273*				
274	Sep. 23, 1847.	George Hyde, Alcalde.	John Allig.	"
275	"	"	"	"
276	"	"	"	"
277	"	"	Henry Huber.	"
278	"	"	"	"
279	"	"	"	"
280	Jan 3, 1850.	John W. Geary, Alcalde.	Brannan & Osborn.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.	
				Fee;	Town Sale.
281	Jan 3, 1850.	John W. Geary, Alcalde.	Brannan & Osborn.	Fee;	Town Sale.
282	" "	"	Henry A. Breed.	"	"
283	July 28, 1847.	George Hyde, Alcalde.	James Doyle.	"	"
284	" "	"	"	"	"
285	Oct 4, "	T. M. Leavenworth, Alcalde.	George Hyde.	"	"
286	" "	"	"	"	"
287	July 28, 1847	George Hyde, Alcalde.	James Enright.	"	"
288	" "	"	"	"	"
289	Jan. 3, 1850	John W. Geary, Alcalde.	Samuel Brannan.	"	"
290	Dec 17, 1849	G. Q. Colton, Justice.	William Hunter.	Grant on Petition.	"
291	" "	"	"	"	"
292*	July 28, 1847	George Hyde, Alcalde.	James Doyle.	Fee; Town Sale.	"
293	" "	"	"	"	"
294	Sep 23, 1847	"	Henry Huber.	"	"
295	" "	"	"	"	"
296	" "	"	"	"	"
297	" "	"	"	"	"
298	July 28, 1847	"	James Doyle.	"	"
299.	" "	"	"	"	"
300	Dec 29, 1849	G. Q. Colton, Justice.	Phineas Hudson.	Grant on Petition.	"
301	" "	"	"	"	"
302*	Aug 7, 1847	George Hyde, Alcalde.	John Townsend.	Fee; Town Sale.	"
303	" "	"	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
304	Aug 5,	George Hyde, Alcalde.	John Townsend.	Fee; Town Sale.
305	Jan 3,	John W. Geary, Alcalde.	Wildes T. Thompson.	"
306	"	"	"	"
307	"	"	Endicott, Greene & Oakes.	"
308	"	"	Isaac McFarren.	"
309*	"	"		"
310	"	"	Fallon & Beckett.	"
311*	"	"		"
312*	"	"		"
313	Dec 29,	G. Q. Colton, Justice.	John Sharp, jr.	Grant on Petition.
314	Jan 3,	John W. Geary, Alcalde.	Samuel L. Burritt.	Fee; Town Sale.
315*	"	"		"
316*	"	"		"
317	Oct 3,	T. M. Leavenworth, Alcalde.	George Hyde.	Fee; Town Sale.
"	Dec 18,	G. Q. Colton, Justice.	John Smith.	Grant on Petition.
318	Oct 3,	T. M. Leavenworth, Alcalde.	George Hyde.	Fee; Town Sale.
319*	"	"		"
320*	"	"		"
321	Dec 25,	G. Q. Colton, Justice.	Ernest Weber	Grant on Petition.
322	"	"	"	"
323	Jan 3,	John W. Geary, Alcalde.	Holt & Dwinelle.	Fee; Town Sale.
324	"	"	Frederick Billings.	"
325	"	"	Thomas H. Holt.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee	Estate and how Conveyed.
326*				
327	Jan 3, 1850	John W. Geary, Alcalde.	Augustus R. Greene.	Fee; Town Sale.
328	"	"	"	"
329	"	"	Lafayette Maynard.	"
330	"	"	"	"
331	Oct 5, 1847	T. M. Leavenworth, Alcalde.	George Hyde.	"
332	Oct " "	"	"	"
333	"	"	"	"
334	"	"	"	"
"				
335	Dec 18, 1849	G. Q. Colton, Justice.	Leroy D. Barber.	Grant on Petition.
"	Oct 18, 1847	T. M. Leavenworth, Alcalde.	George Hyde.	Fee; Town Sale.
336	Dec. 18, 1849	G. Q. Colton, Justice.	Leroy D. Barber.	Grant on Petition.
"	Oct 18, 1847	T. M. Leavenworth, Alcalde.	George Hyde.	Fee; Town Sale.
337	Dec 18, 1849	G. Q. Colton, Justice.	Leroy D. Barber.	Grant on Petition.
338	Sep 23, 1847	George Hyde, Alcalde.	Henry Huber.	Fee; Town Sale.
339	"	"	"	"
340	Oct 21, 1847	"	"	"
341	Sep 23, "	"	Mellus & Howard.	"
342	Oct 21, "	"	"	"
343	Sep 23, "	"	"	"
344	"	"	"	"
345	"	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
346	Sep 23, 1847	George Hyde, Alcalde.	Mellus & Howard.	Fee; Town Sale.
347	" "	" "	" "	" "
348	" "	" "	" "	" "
349	Jan 3, 1850	John W. Geary, Alcalde.	Talbot H. Green.	" "
350	" "	" "	William A. Greene.	" "
351	" "	" "	Francis Hoen.	" "
352*				
353	Sep 23, 1847	George Hyde, Alcalde.	Mellus & Howard.	" "
354	" "	" "	" "	" "
355	Oct 21, "	" "	" "	" "
356	Sep 23, "	" "	" "	" "
357	" "	" "	" "	" "
358	" "	" "	" "	" "
359	" "	" "	" "	" "
360	Jan 3, 1850	John W. Geary, Alcalde.	Augustus R. Greene.	" "
361	Sep 13, 1847	George Hyde, Alcalde.	Mellus & Howard.	" "
362	Jan 3, 1850	John W. Geary, Alcalde.	Thomas R. Korn.	" "
363	Sep 23, 1847	George Hyde, Alcalde.	Charles L. Ross.	" "
364	" "	" "	" "	" "
365	" "	" "	Mellus & Howard.	" "
366	Sep 23, 1847	" "	Charles L. Ross.	" "
"	Sep 23, "	" "	Mellus & Howard.	" "
367	Sep "	" "	Charles L. Ross.	" "

Synopsis Continued.

No. of Lot.	Date of Grant.		Grantor.	Grantee.	Estate and how Conveyed.	
367	Sep 25,	1847	George Hyde, Alcalde.	W. H. Warner & J. L. Folsom.	Fee;	Town Sale.
368	July 30,	1847	"	Charles L. Ross.	"	"
369	Sep 20,	1847	"	W. H. Warner & J. L. Folsom.	"	"
"	July	"	"	Charles L. Ross.	"	"
370	Sep 20,	"	"	W. H. Warner & J. L. Folsom.	"	"
"	"	"	"	Charles L. Ross.	"	"
"	" 20,	"	"	W. H. Warner & J. L. Folsom.	"	"
371	Dec 28,	1849	G. Q. Colton, Justice.	Ard. S. Marvin.	Grant on Petition.	
372*						
373	July	1847	George Hyde, Alcalde.	Charles L. Ross.	Fee;	Town Sale.
"	Sep 20,	"	"	W. H. Warner & J. L. Folsom.	"	"
374	July	"	"	Charles L. Ross.	"	"
"	Sep 20,	"	"	W. H. Warner & J. L. Folsom.	"	"
375	"	"	"	Charles L. Ross.	"	"
"	" 20,	"	"	W. H. Warner & J. L. Folsom.	"	"
376	"	"	"	"	"	"
377	"	"	"	Charles L. Ross.	"	"
"	" 20,	"	"	W. H. Warner & J. L. Folsom.	"	"
378	"	"	"	Charles L. Ross.	"	"
"	" 20,	"	"	W. H. Warner & J. L. Folsom.	"	"
379	" 20,	"	"	"	"	"
380	"	"	"	Charles L. Ross.	"	"
"	" 20,	"	"	W. H. Warner & J. L. Folsom.	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
381	Jan 3, 1850.	John W. Geary, Alcalde.	Valentine Diel.	Fee; Town Sale.
382	" "	"	Henry Gerke.	"
383	" "	"	Meyer & Kunhardt.	"
384	" "	"	Alexander Bowman.	"
385	Sep. 1847.	George Hyde, Alcalde.	Charles L. Ross.	"
"	" 20,	"	W. H. Warner & J. L. Folsom.	"
386	" "	"	Charles L. Ross.	"
"	" 20,	"	W. H. Warner & J. L. Folsom.	"
387	Aug "	"	Charles L. Ross.	"
"	Sep 20,	"	W. H. Warner & J. L. Folsom.	"
388	" "	"	Charles L. Ross.	"
"	" 20,	"	W. H. Warner & J. L. Folsom.	"
389	July "	"	Charles L. Ross.	"
"	Sep 20,	"	W. H. Warner & J. L. Folsom.	"
390	July "	"	Charles L. Ross.	"
"	Sep. 20,	"	W. H. Warner & J. L. Folsom.	"
391	" "	"	Charles L. Ross.	"
"	" 20,	"	W. H. Warner & J. L. Folsom.	"
392	" "	"	Charles L. Ross.	"
"	" 20,	"	W. H. Warner & J. L. Folsom.	"
393	" "	"	Charles L. Ross.	"
"	" 20,	"	W. H. Warner & J. L. Folsom.	"
"	" 20,	"	Charles L. Ross.	"
394	Nov 1,	"	W. H. Warner & J. L. Folsom.	"
			H. Wager Halleck.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee	Estate and how Conveyed.	
				Fee;	Town Sale.
395	Nov 1, 1847	George Hyde, Alcalde.	H. Wager Halleck.		
396	"	"	"		"
397	"	"	"		"
398	"	"	"		"
399	"	"	"		"
400	Jan 3, 1850	John W. Geary, Alcalde.	David Logan.		"
401	"	"	William A. Greene.		"
402	"	"	David Logan.		"
403	"	"	"		"
404	"	"	James Blair		"
405	"	"	P. C. Gultier.		"
406	"	"	White & Oliver.		"
407	"	"	William Paty.		"
408	Nov 1, 1847	George Hyde, Alcalde.	H. Wager Halleck.		"
409	"	"	"		"
410	"	"	"		"
411	"	"	"		"
412	Jan 3, 1850	John W. Geary, Alcalde.	Mead, Robinson & Reed.		"
413	"	"	Francis Hoen.		"
414	"	"	Valentine Diel.		"
415	"	"	Martin Waterman.		"
416	Nov 1, 1847	George Hyde, Alcalde.	H. Wager Halleck.		"
417	"	"	"		"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Gantee.	Estate and how Conveyed.
418	Jan 3, 1850	John W. Geary, Alcalde.	Stevenson & Parker.	Fee; Town Sale.
419	" "	"	"	"
420	Dec 29, 1849	G. Q. Colton, Justice.	Farely Alden and Charles E. Stone.	Grant on Petition.
421	" "	"	Farely Alden and Charles E. Stone.	"
422*			Valentine Diel.	Fee; Town Sale.
423	Jan. 3, 1850	John W. Geary, Alcalde.	Norman Bugbee.	"
424*	" "	"	Mead, Robinson & Reed.	"
425	" "	"	George Dowling.	"
426	Sep 25, 1847	George Hyde, Alcalde.	"	"
427	" "	"	"	"
428	Nov 26, "	"	"	"
429	Sep 25, "	"	"	"
430	" "	"	"	"
431	Jan 3, 1850	John W. Geary, Alcalde.	David Logan.	"
432	" "	"	Markwald, Caspari & Co.	"
433	" "	"	Francis Hoen.	"
434	" "	"	W. A. Greene.	"
435	" "	"	Rothman M. Price.	"
436	" "	"	"	"
437	" "	"	"	"
438	" "	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.	
				Fee; Town Sale.	
439	Jan 3, 1850	John W. Geary, Alcalde.	Rodnan M. Price.	Fee;	
440	" "	" "	" "	" "	
441	" "	" "	" "	" "	
442	Sep 23, 1847	George Hyde, Alcalde.	Wm. A. Leidsdorff.	" "	
443	Oct. 5, "	" "	" "	" "	
444	Sep 23, "	" "	" "	" "	
445	Dec 10, 1842	Alvarado, Governor.	Robert Elwell.	Grant on	Petition.
"	Sep. 9, 1848	T. M. Leavenworth, Alcalde.	William L. Clark.	" "	
"	Dec 19, 1849	G. Q. Colton, Justice.	C. Crosby.	" "	
446	" 10, 1842	Alvarado, Governor.	W. L. Clark.	" "	
"	Sep 9, 1848	T. M. Leavenworth, Alcalde.	C. Crosby.	" "	
"	Dec 19, 1849	G. Q. Colton, Justice.	Robert Elwell.	" "	
447	" 10, 1842	Alvarado, Governor.	William L. Clark.	" "	
"	Sep 9, 1848	T. M. Leavenworth, Alcalde.	C. Crosby.	" "	
"	Dec 19, 1849	G. Q. Colton, Justice.	Robert Elwell.	" "	
448	" 10, 1842	Alvarado, Governor.	William S. Clark.	" "	
"	Sep 9, 1848	T. M. Leavenworth, Alcalde.	C. Crosby.	" "	
"	Dec 19, 1849	G. Q. Colton, Justice.	Robert Elwell.	" "	
449	" 10, 1842	Alvarado, Governor.	William S. Clark.	" "	
"	Sep 9, 1848	T. M. Leavenworth, Alcalde.	C. Crosby.	" "	
"	Dec 19, 1849	G. Q. Colton, Justice.	Robert Elwell.	" "	
450	" 10, 1842	Alvarado, Governor.	William S. Clark.	" "	
"	Sep 9, 1848	T. M. Leavenworth, Alcalde.	C. Crosby.	" "	

Synopsis Continued.

No. of Lot	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed
450	Dec 19,	1849 G. Q. Colton, Justice.	C. Crosby.	Grant on Petition.
451	" 10,	1842 Alvarado, Governor.	Robert Elwell.	"
"	Sep 9,	1848 T. M. Leavenworth, Alcalde.	William S. Clark.	"
452	Dec 19,	1849 G. Q. Colton, Justice.	C. Crosby.	"
"	" 10,	1842 Alvarado, Governor.	Robert Elwell.	"
"	Sep 9,	1848 T. M. Leavenworth, Alcalde.	William S. Clark.	"
453	Dec 19,	1849 G. Q. Colton, Justice.	C. Crosby.	"
"	" 10,	1842 Alvarado, Governor.	Robert Elwell.	"
"	Sep 9,	1848 T. M. Leavenworth, Alcalde.	William S. Clark.	"
454	Dec 19,	1849 G. Q. Colton, Justice.	C. Crosby.	"
"	" 10,	1842 Alvarado, Governor.	Robert Elwell.	"
"	Sep 9,	1848 T. M. Leavenworth, Alcalde.	William S. Clark.	"
455	Dec 19,	1849 G. Q. Colton, Justice.	C. Crosby.	"
"	" 10,	1842 Alvarado, Governor.	Robert Elwell.	"
"	Sep 9,	1848 T. M. Leavenworth, Alcalde.	William S. Clark.	"
456	Dec 19,	1849 G. Q. Colton, Justice.	C. Crosby.	"
"	" 10,	1842 Alvarado, Governor.	Robert Elwell.	"
"	Sep 9,	1848 T. M. Leavenworth, Alcalde.	William S. Clark.	"
457	Dec 19,	1849 G. Q. Colton, Justice.	C. Crosby.	"
"	Sep 25,	1848 T. M. Leavenworth, Alcalde.	William C. Parker.	"
458	Dec 25,	1849 G. Q. Colton, Justice.	Henry Keidel.	"
"	Sep 25,	1848 T. M. Leavenworth, Alcalde.	William C. Parker.	"
"	Jan 3,	1850 John W. Geary Alcalde.	Thomas Sprague.	Fee; Town Sale.

Synopsis Continued.

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No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
459	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition.
"	Jan 3, 1850	John W. Geary, Alcalde.	Town of San Francisco.	Grant for a Reserve
460	Sep 5, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition.
"	Jan 23, 1850	John W. Geary, Alcalde.	Town of San Francisco.	Grant for a Reserve
461	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition.
"	Jan 3, 1850	John W. Geary, Alcalde.	Markwald, Caspari & Co.	Fee; Town Sale.
462	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition.
"	Jan 3, 1850	John W. Geary, Alcalde.	Samuel Brannan.	Fee; Town Sale.
463	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition.
"	Dec 25, 1849	G. Q. Colton, Justice.	Henry Keidel.	"
464	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Fee; Town Sale.
"	Jan 3, 1850	John W. Geary, Alcalde.	Thomas Sprague.	"
465	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition.
"	Jan. 3, 1850	John W. Geary, Alcalde.	Town of San Francisco.	Grant for a Reserve
466	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition
"	Jan 3, 1850	John W. Geary, Alcalde.	Town of San Francisco.	Grant for a Reserve
467	Sep 25, 1848	T. M. Leavenworth, Alcalde..	William C. Parker.	Grant on Petition
"	Jan 3, 1850	John W. Geary, Alcalde.	Thomas Sprague.	Fee; Town Sale.
468	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition
"	Jan 3, 1850	John W. Geary, Alcalde.	Samuel Brannan.	Fee; Town Sale.
469	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition
"	Dec 23, 1849	G. Q. Colton, Justice.	Julius C. Libbey.	"
"	May 3, 1849			

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Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
470	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition.
"	Dec 23, 1849	G. Q. Colton, Justice.	Julius C. Libbey.	"
"	May 3, 1848			
471	Sep 25, 1849	T. M. Leavenworth, Alcalde.	William C. Parker.	"
"	Dec 23, 1849	G. Q. Colton, Justice.	Julius C. Libbey.	"
"	May 3, 1849			
472	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	"
"	Dec 23, 1849	G. Q. Colton, Justice.	Henry Gunter.	"
"	May 3, 1849			
473	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	"
"	Dec 23, 1849	G. Q. Colton, Justice.	Henry Gunter.	"
"	May 3, 1849			
474	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	"
"	Dec 23, 1849	G. Q. Colton, Justice.	Henry Gunter.	"
"	May 3, 1849			
475	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	"
"	Dec 23, 1849	G. Q. Colton, Justice.	Julius C. Libbey.	"
"	May 3, 1849			
476	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	"
"	Dec 23, 1848	G. Q. Colton, Justice.	Julius C. Libbey.	"
"	May 3, 1849			
477	Sep 25, 18 8 T.	M. Leavenworth, Alcalde	William C. Parker.	"
"	Dec 23, 1849	G. Q. Colton, Justice.	Julius C. Libbey.	"

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
477+	May 3, 1849			
478	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition.
"	Dec 23, 1849	G. Q. Colton, Justice.	Henry Gunter.	"
"	May 3, 1849			
479	Sep 25, 1848	T. M. Leavenworth, Alcalde	William C. Parker.	Grant on Petition.
"	Dec 23, 1849	G. Q. Colton, Justice.	Henry Gunter.	"
"	May 3, 1849			
480	Sep 25, 1848	T. M. Leavenworth, Alcalde.	William C. Parker.	Grant on Petition.
"	Dec 23, 1849	G. Q. Colton, Justice.	Henry Gunter.	"
"	May 3, 1849			
481	Jan 3, 1850	John W. Geary Alcalde.	Meyer & Kunhardt.	Fee; Town Sale.
482	"	"	Henry M. Naglee.	"
483	"	"	George Sharp.	"
484	"	"	Samuel Brannan.	"
485	"	"	"	"
486	"	"	"	"
487	"	"	David Logan.	"
488	"	"	"	"
489	"	"	"	"
490	"	"	Talbot H. Green.	"
491	"	"	"	"
492	"	"	"	"
493	"	"	Frank Turk.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.	
				Fee;	Town Sale.
494	Jan 3,	1850 John W. Geary, Alcalde.	Frank Turk.		
495	"	"	"	"	"
496	"	"	William M. Stewart	"	"
497	"	"	"	"	"
498	"	"	"	"	"
499	"	"	Alexander Bowman	"	"
500	"	"	James Blair	"	"
501	"	"	Van Nostrand & Dunbar	"	"
502	"	"	Alexander Bowman	"	"
503	"	"	James Blair.	"	"
504	"	"	"	"	"
505	"	"	Town of San Francisco.	Grant for a Reserve.	
506	"	"	"	"	"
507	"	"	"	"	"
508	Dec 21,	1849 G. Q. Colton, Justice.	John Byrne.	Grant on Petition.	
509	"	"	"	"	"
510*					
511*					
512	Jan 3,	1850 John W. Geary, Alcalde.	Broderick & Kohler.	Fee: Town Sale.	
513	"	"	Jacob C. Beideman.	"	
514	Dec 28,	1849 G. Q. Colton, Justice.	George Derick.	Grant on Petition	
515*					
516*					

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
517*				
518	Jan. 3, 1850	John W. Geary, Alcalde.	A. M. Van Nostrand and E. E. Dunbar.	Fee; Town Sale.
519	"	"	Meyer & Kunhardt.	"
520†	May 3, 1849			
"	Jan 2, 1850	G. Q. Colton, Justice.	W. W. Parker.	Grant on Petition.
521†	May 3, 1849			
"	Jan 2, 1850	G. Q. Colton, Justice.	W. W. Parker.	Grant on Petition.
522†	May 3, 1849			
"	Jan 2, 1850	G. Q. Colton, Justice.	W. W. Parker.	Grant on Petition.
523	" 3,	John W. Geary, Alcalde.	W. W. Parker.	Grant on Petition.
524	Dec 23, 1849	G. Q. Colton, Justice.	Broderick & Kohler.	Fee; Town Sale.
"†	"	G. Q. Colton, Justice.	D. B. Northrop.	Grant on Petition.
525	May 3,	G. Q. Colton, Justice.	D. B. Northrop.	Grant on Petition.
"†	Dec 23,	"	D. B. Northrop.	Grant on Petition.
526	May 3,	G. Q. Colton, Justice.	D. B. Northrop.	Grant on Petition.
"†	Dec 23,	"	Burling & Thomas.	Fee; Town Sale.
527	May 3, 1850	John W. Geary, Alcalde.	W. W. Parker.	Grant on Petition.
528†	May 3, 1849			
"	Jan 2, 1850	G. Q. Colton, Justice.	W. W. Parker.	Grant on Petition.
529†	May 3, 1849			
"	Jan 2, 1850	G. Q. Colton, Justice.	W. W. Parker.	Grant on Petition.
530†	May 3, 1849			

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
530	Jan. 2, 1850	G. Q. Colton, Justice.	W. W. Parker.	Grant on Petition.
531	Dec 23, 1849	G. Q. Colton, Justice.	D. B. Northrop.	"
" +	May 3, "	"	"	"
532	Dec 23, "	G. Q. Colton, Justice.	D. B. Northrop.	Grant on Petition.
" +	May 3, "	"	"	"
533	Dec 23, "	G. Q. Colton, Justice.	D. B. Northrop.	"
" +	May 3, "	"	"	"
534*				Fee; Town Sale.
535	Jan 3, 1850	John W. Geary, Alcalde.	Bame, Agate, Payran & McKinley.	"
536	"	"	Lucien Skinner.	"
537	"	"	John S. Love.	"
538.	"	"	Lafayette Maynard.	"
539	"	"	J. Heron Foster.	"
540	"	"	Bame, Agate, Payran & McKinley.	"
541	"	"	James O. Callaghan	"
542	"	"	Martin Waterman.	"
543	"	"	Broderick & Kohler	"
544	"	"	Tilton & Lawton.	"
545	"	"	Samuel Brannan & J. W. Osborn.	"
546	"	"	Brannan & Osborn.	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed
547	Jan 3, 1850	John W. Geary, Alcalde.	Brannan & Osborn.	Fee; Town Sale.
548	" "	"	Fredrick Billings.	"
549	" "	"	A. C. Peachy.	"
550	" "	"	Fred. A. Billings.	"
551	" "	"	Brannan & Osborn.	"
552	" "	"	"	"
553	Dec 20, 1849	G. Q. Colton, Justice.	Wash'n. Bartlett.	Grant on Petition.
" +	May 3, "	"	"	"
554	Dec 20, "	G. Q. Colton, Justice.	"	"
" +	May 3, "	"	"	"
555	Dec 20, "	G. Q. Colton, Justice.	"	"
" +	May 3, "	"	Willis Spear.	"
556	Dec 23, "	G. Q. Colton, Justice.	"	"
" +	May 3, "	"	"	"
557	Dec 23, "	G. Q. Colton, Justice.	"	"
" +	May 3, "	"	"	"
558	Dec 23, "	G. Q. Colton, Justice.	"	"
" +	May 3, "	"	Wash'n. Bartlett.	"
559	Dec 20, "	G. Q. Colton, Justice.	"	"
" +	May 3, "	"	"	"
560	Dec 20, "	G. Q. Colton, Justice.	"	"
" +	May 3, "	"	"	"
561	Dec 20, "	G. Q. Colton, Justice.	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
561†	May 3, "	G. Q. Colton, Justice.	Willis Spear.	Grant on Petition.
562	Dec. 23, "	"	"	Grant on Petition.
"†	May 3, "	G. Q. Colton, Justice.	"	Grant on Petition.
563	Dec. 23, "	"	"	Grant on Petition.
"†	May 3, "	G. Q. Colton, Justice.	"	Grant on Petition.
564	Dec. 23, "	"	"	Grant on Petition.
"†	May 3, "	G. Q. Colton, Justice.	"	Grant on Petition.
565	Jan 3, 1850	John W. Geary, Alcalde.	Norman Bugbee.	Fee; Town Sale.
566	" "	"	John Mumford.	"
567	" "	"	Nickinson & Swain.	"
568	" "	"	T. J. & J. B. West.	"
569	Jan 3, 1850	"	William M. Eddy.	"
570	" "	"	James Blair.	"
571	" "	"	Titton & Louton.	"
572	" "	"	Isaac Bluxome, jr.	"
573	" "	"	H. Lambert & Ford	"
	" "	"	P. Low.	"
574	" "	"	Banc, Agate, Payran & McKinley.	"
575	" "	"	Augustus R. Greene.	"
576	" "	"	Isaac Bluxome, jr.	"
577	" "	"	Samuel Brannan.	"
578	" "	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.	
				Fee;	Town Sale.
579	Jan 3, 1850	John W. Geary, Alcalde.	Samuel Brannan.		
580*	"	"	Talbot H. Green.	"	"
581	"	"	"	"	"
582	"	"	"	"	"
583	"	"	Brannan & Osborn.	"	"
584	"	"	William M. Stewar.	"	"
585	"	"	Talbot H. Green.	"	"
586	"	"	William H. Davis.	"	"
587	"	"	"	"	"
588*	"	"	Samuel Brannan.	"	"
589	"	"	"	"	"
590	"	"	Erastus V. Joice.	"	"
591	"	"	A. C. Labatt.	"	"
592	Dec 18, 1849	C. Q. Golton, Justice.	Franklin Cooper.	Grant on Petition. Fee; Town Sale.	
"	Jan 3, 1850	John W. Geary, Alcalde.	Erastus V. Joice.		
593	"	"	Brignardello and Tarroni.	"	"
594	"	"	Alonzo W. Adams.	"	"
595	"	"	William M. Eddy.	"	"
596	"	"	Grant & McCarty.	"	"
597	"	"	Jas. Henry Levien.	"	"
598	"	"	Hervey Sparks.	"	"
599	"	"	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed	
				Fee :	Town Sale.
600	Jan 3, 1850.	John W. Geary, Alcalde.	Henry Van Ness.	"	"
601	"	"	James M. Taylor	"	"
602	"	"	Hervey Sparks.	"	"
603	"	"	T. J. & J. B. West.	"	"
604	"	"	Henry Van Ness.	"	"
605	"	"	Norman Bagbee.	"	"
606*	"	"	Hezekiah P. Jones.	"	"
607	"	"	Gallagher & Lounes	"	"
608	"	"	George W. Letter.	"	"
609	"	"	Henry M. Naglee.	"	"
610	"	"		"	"
611*	"	"	James C. Smith.	"	"
612	"	"	Bagnardello and Tarroni.	"	"
613	"	"	David Logan.	"	"
614	"	"	Lafayette Maynard	"	"
615	"	"	"	"	"
616	"	"	"	"	"
617	"	"	"	"	"
618*	"	"	David Logan.	"	"
619	"	"	Scott & Webber.	"	"
620	"	"	Broderick & Kohler	"	"
621	"	"		"	"

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.	
				Fee;	Town Sale.
622	Jan 3, 1850	John W. Geary, Alcalde.	Henry M. Naglee.	"	"
623	"	"	Hervy Sparks.	"	"
624	"	"	James Gallagher.	"	"
625	"	"	Bame, Agate, Payran & McKinley.	"	"
626	"	"	T. J. & J. B. West.	"	"
627	"	"	James O. Callaghan.	"	"
628	"	"	David Logan.	"	"
629	"	"	James Gallagher.	"	"
630	"	"	David C. Broderick.	"	"
631	"	"	Broderick & Kohler	"	"
632	"	"	Lafayette Maynard.	"	"
633	"	"	"	"	"
634	"	"	James Gallagher.	"	"
635	"	"	Dennis J. Oliver.	"	"
636	"	"	Hervey Sparks.	"	"
637	"	"	"	"	"
638	"	"	T. J. & J. B. West.	"	"
639	"	"	Thomas Sprague.	"	"
640	"	"	James Gallagher.	"	"
641	"	"	Gallagher & Lownes	"	"
642	"	"	Lafayette Maynard.	"	"
643	"	"	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed
644	Jan 3, 1850.	John W. Geary, Alcalde.	Lafayette Maynard	Fee; Town Sale.
645	" "	"	Joseph H. Levien.	"
646	" "	"	Jamee Blair.	"
647	" "	"	Samuel Brannan.	"
648	" "	"	Samuel C. Smith.	"
649	" "	"	Samuel Brannan.	"
650	" "	"	Talbot H. Green.	"
651	" "	"	"	"
652	Dec 12, 1849	G. Q. Colton, Justice.	G. B. Louton.	Grant on Petition.
653	" "	"	"	"
654	" "	"	"	"
655	" "	"	"	"
656	Jan 3, 1850	John W. Geary, Alcalde.	Adol's Van Hyman.	Fee; Town Sale.
657	" "	"	"	"
658	" "	"	Talbot H. Green.	"
659	" "	"	"	"
660	" "	"	Henry M. Naglee.	"
661	" "	"	A. H. Murdock & J. H. Wingate.	"
662	" "	"	Talbot H. Green.	"
663	" "	"	"	"
664	" "	"	"	"
665	" "	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.
666	Jan. 3, 1850.	John W. Geary, Alcalde.	Talbot H. Green.	Fee; Town Sale.
667	"	"	"	"
668	"	"	Fallon & Beckett.	"
669	"	"	D. B. Northrop.	"
670	"	"	Alexander Bowman	"
671	"	"	"	"
672	"	"	Talbot H. Green.	"
673	"	"	"	"
674	"	"	"	"
675	"	"	"	"
676	"	"	"	"
677	"	"	"	"
678*				
679	"	"	Town of San Francisco.	Grant for a Reserve.
680	"	"	"	"
681	"	"	Talbot H. Green.	Fee; Town Sale.
682*				
683	"	"	Augustus R. Greene.	"
684	"	"	Lewis Bock.	"
685	"	"	Talbot H. Green.	"
686	"	"	"	"
687	"	"	Town of San Francisco.	Grant for a Reserve.
688	"	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.		Grantee.	Estate and how Conveyed.	
		John W. Geary,	Alcalde.		Grant for a Reserve.	Fee; Town Sale:
689	Jan. 3, 1850	John W. Geary,	Alcalde.	Town of San Francisco.	"	"
690	"	"	"	"	"	"
691*	"	"	"	Geo. W. Thompson.	"	"
692	"	"	"	Augustus R. Greene.	"	"
693	"	"	"	Erastus V. Joice.	"	"
694	"	"	"	Asa D. Hatch.	"	"
695	"	"	"	Scott & Webber.	"	"
696	"	"	"	Jos. Henry Levien.	"	"
697	"	"	"	D. B. Northrop.	"	"
698	"	"	"	"	"	"
699	"	"	"	James Gallagher.	"	"
700	"	"	"	Broderick & Kohler.	"	"
701	"	"	"	Thomas Mathews.	"	"
702	"	"	"	A. R. Greene.	"	"
703	"	"	"	Mead, Robinson & Reed.	"	"
704	"	"	"	"	"	"
705	"	"	"	"	"	"
706	"	"	"	Fallon & Beckett.	"	"
707	"	"	"	Hervey Sparks.	"	"
708	"	"	"	Whipple & Tibbits.	"	"
709	"	"	"	Lafayette Maynard.	"	"
710	"	"	"	"	"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.	
				Fee;	Town Sale.
711	Jan 3, 1850	John W. Geary, Alcalde.	S. M. Collins.		
712	"	"	T. J. & J. B. West.	"	"
713	"	"	Killen & Baker.	"	"
714	"	"	Benj'n Richardson.	"	"
715	"	"	Thomas Mathews.	"	"
716	"	"	Thomas Sprague.	"	"
717	"	"	Thomas Mathews.	"	"
718	"	"	Broderick & Kohler.	"	"
719*	"	"	Lambert & Low.	"	"
720	"	"	Markwald, Cas-	"	"
721*	"	"	pari & Co.	"	"
722	"	"	Lewis Bock.	"	"
723	"	"	James Blair.	"	"
724*	"	"	Robert E. Newland.	"	"
725	"	"	Lewis Bock.	"	"
726*	"	"	Friend P. Fitts.	"	"
727	"	"	Thomas S. Cooper.	"	"
728	"	"	Benj'n Richardson.	"	"
729	"	"		"	"
730	"	"		"	"
731*	"	"		"	"
732	"	"		"	"

Synopsis Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed
733	Jan 3, 1850	John W. Geary, Alcalde.	James C. Smith.	Fee; Town Sale.
734	"	"	Robert Tobin.	"
735	"	"	Benjn Richardson.	"
736	"	"	"	"
737	"	"	Broderick & Kohler	"
738	"	"	Thomas Mathews.	"
739	"	"	Markwald, Cas- pari & Co.	"
740	"	"	"	"
741	"	"	Lafayette Maynard.	"
742	"	"	William W. Palmer.	"
743	"	"	Jacob L. Dodge.	"
744	"	"	D. B. Northrop.	"
745	"	"	Hervey Sparks.	"
746	"	"	Robert Tobin.	"
747	"	"	D. B. Northrop.	"
748	"	"	"	"
749	"	"	J. H. Levien.	"
750	"	"	James M. Taylor.	"
751	"	"	George Brooks.	"
752	"	"	Hervey Sparks.	"
753	"	"	D. B. Northrop.	"
754	"	"	"	"

Synopsis Continued.

No. of Lot	Date of Grant.	Grantor.	Grantee.	Estate and how Conveyed.	
				Fee; Town Sale.	
755	Jan 3, 1850	John W. Geary	B. J. Donovan.		
756	"	"	Murdoch & Wingate	"	
757	"	"	Bame, Agate, Payran & McKinley.	"	
758	"	"	Rodman M. Price.	"	
759	"	"	James Gallagher.	"	
760	"	"	Lambert & Low.	"	
761	"	"	John A. Collins.	"	
762	"	"	L. Maynard.	"	
763	"	"	R. M. Price.	"	
764	"	"	James Blair	"	
765	"	"	R. M. Price.	"	
766	"	"	"	"	
767*	"	"	Alexander Bowman	"	
768	"	"	Lewis Bock.	"	
769	"	"		"	
770*	"	"	L. Maynard.	"	
771	"	"		"	
772*	"	"		"	

*No Record of any Grant of this Lot.

†Reserved for a Basin, by Resolution of Town Council.

ERRATA:

Page 4, 4th line from top, for "north-east, or south front," read, *north, east, or south front.*

Page 9, 14th line from bottom, instead of "May 5th and 8th, and July 7th, of 1849," read, *May 5th and 8th, April 15th, and July 7th, of 1849.*"

Page 42, 22d line from bottom insert, *Grant dated April 15th, 1849. David Logan, Grantee; 100 by 150 varas, bounded south by Bay street and East by Dupont street.*

Page 45, 2d Grantee from bottom, for, "James W. Fiuley," read, *James W. Finley.*

Page 98 of synopsis, against lot No. 652, for "Dec. 12," read, *Dec. 19.*

Same page, against lot No. 648, for "Sames C. Smith," read, *James C. Smith.*

REPORT

3

an American Roman Catholic orphan asylum

OF THE

TRUSTEES

OF THE

R.C. ORPHAN ASYLUM,

OF THE

CITY OF SAN FRANCISCO. •

JANUARY 1st, 1857.

SAN FRANCISCO:

O'MEARA & PAINTER, PRINTERS, 132 CLAY STREET

1857.

Officers of the Asylum.

Elected June 1st, 1856, at the General Meeting.

PRESIDENT—PHILIP A. ROACH.

VICE-PRESIDENT—GUSTAVE TOUCHARD.

SECRETARY—J. A. McGLYNN.

TREASURER—PETER DUNNE.

TRUSTEES.

J. A. DONOHUE.	PETER CHRYSTAL.
CHAS. B. POLHEMUS.	PETER DONAHUE.
JOHN SULLIVAN.	PETER DUNNE.
JOHN A. McGLYNN.	G. TOUCHARD.
PHILIP A. ROACH.	

AUDITORS.

DENIS J. OLIVER.	JAMES DUNNE.
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SOLICITORS.

C. McC. DELANY. Esq.,	MURRAY MORRISON. Esq.
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APOTHECARIES—THAYER & CO.

PHYSICIAN—DR. BENNETT.

REPORT OF THE TRUSTEES

OF THE

Roman Catholic Orphan Asylum.

The last annual report of the Association was made in August, 1855. Since then, the Male Department has been removed to San Rafael, and the building on Market street has been exclusively occupied by the Female Orphans.

There are now in both establishments 155 children. Last year there were 107, showing an increase of forty-eight since that period.

The compilation of the present report has been deferred, in order to enable the Trustees to embrace in it, as fully as possible, the result of the collections made by the Committee appointed in last May; also, to include therein the result of the Annual Fair, delayed by various causes until the end of November.

The wants of the Institution have been continually increasing, and owing to the severe depression which has affected the interests of the city, the difficulties of supplying the wants of the large number of dependent orphans, whose only home is the Asylum, have been greater than at any previous period.

But notwithstanding the many severe disasters which have so greatly affected the prosperity of San Francisco, its people, relying upon the promises of Divine Providence, have not, even in the hour of their greatest adversity, forgotten the claims of the fatherless upon their charity.

Under the judicious management of the Sisters of Charity, it is believed that the Asylum in San Francisco is fully equal in every respect to the best managed institutions of the older States. The rooms are large, well ventilated, and kept in the neatest order, while the influence exercised by a temperate climate upon the health and condition of the children, justly warrants the remark that, in personal appearance, the orphans of San Francisco are far superior to those of any other charitable institution in the Union.

The number of female children now in the Asylum is 121. Of these, 86 are dependent orphans; 30, half orphans; 5, boarders; Total—121. Ages—From 1 to 8, 63; from 8 to 14, 58—121.

The Sister Superior of the Institution is Sister Frances McEnnis, assisted by eight other ladies, all from the Parent

House at Emmettsburg, Maryland. Through the exertions of these devoted ladies, this large number of children, so even in the helpless years of childhood, are fed, clothed and educated. It has frequently been a source of sincere gratification to the Trustees to learn, from various public and private channels, that the children exhibit the evidences of deportment and morals, of enjoying all the care and attention that a heartfelt devotion to their welfare can inspire.

The orphans are educated in the school-room of the Asylum by the Sisters, at which there is a general attendance of female children living in the vicinity. The number profiting by the instruction of these ladies, free of charge, exceeds an average attendance, three hundred. And it is a satisfaction to remark that the intercourse produced by the association of the children, while it cheers many a weary hour of the orphan's life, it awakens in their behalf, in the hearts of their fortunate companions, the artless sympathy of childhood in their position.

In our city there are many mothers who earn their support by their labor, at employments which oblige them to leave their homes. Many of these place their children under the charge of the Sisters in the morning, until their return to employment, and in this manner, through the Institution, assisted to maintain their families.

Since the last annual report, there has not been any death in the Asylum.

Several cases of sickness have occurred, but owing to the skillfulness of the physicians and the unremitting attention of the Sisters to the children, no case proved fatal.

For this manifestation of Divine Providence, we feel too grateful; and when we remember that during the past year the putrid sore throat and many other diseases proved so fatal to children, even in the vicinity of the Asylum, we recognize the protecting hand of Providence over half of the fatherless.

The Sisters speak in the highest terms of praise of Bennett, whose services have been gratuitously given to the Trustees beg, through this report, to make it known to the Association.

To Messrs. B. B. Thayer & Co., who have furnished the Asylum gratuitously, the Association returns its sincere thanks.

The male children who were formerly under the charge of the Rev. John McGinniss, in the building on Market street, are now at San Rafael, in Marin county. This change became necessary, in consequence of the increasing number of female orphans, requiring all the room in the Asylum in San Francisco.

the liberality of the late Timothy Murphy, three hundred acres of land, near San Rafael, were given by him, for the establishment of a Farm School and Asylum.

The erection of a suitable building for the reception of the boys, and the enclosing of the land, rendered a large outlay necessary. That Asylum, for a long time, was under the management of the Rev. Mr. Maurice. It is now under the superintendence of the Rev. Mr. Auger. The education and training of the boys are confided to Mr. Donald Walsh. His report of the children is as follows:—Boys over 10, 9; boys under 10, 6, 13; boys over 4, 8; boys under 4, 4; Total—34.

The sparseness of the population of Marin county has prevented the establishment receiving much support in that quarter. In consequence, we have been called upon for assistance, and the appeal has been answered to the extent of our ability. Since the last report, we have paid for them \$495 80.

A committee appointed last November, visited the Asylum and reported as follows:—That there were in the institution thirty-four male children, varying in age from ten to twelve years, that they were generally in very good health, and that their education had been well attended to. The lands donated, as heretofore referred to, had been enclosed, but owing to the want of teams and ploughs, and the want of a practical farmer to direct operations the land had not been cultivated. They further reported that, with a small outlay, the establishment could be made self-supporting, and that while it would give the boys employment and exercise, it would be training them in habits of order, labor and industry, to qualify them for engaging in the various branches of business which may hereafter be offered to them.

In the Asylum at San Rafael the accommodations are sufficient for about fifty boys, if the Chapel be removed to the school house, distant from the Asylum some twenty yards. It will be seen that the Orphan Homes of San Rafael and San Francisco, although their inmates are from every portion of the State, have been supported, with but very trifling assistance from the interior counties, by the residents of San Francisco.

The annual Fair of 1855 was held in September of that year. Every effort was made to render it successful; and it is due to the ladies who exerted themselves on the occasion, to express our grateful acknowledgements for their services. By reference to the accounts of the Treasurer it will be seen that it realized a very handsome sum.

Notwithstanding this favorable result, as the Association is largely in debt, and paying interest thereon, further ef-

forts became necessary. Application was therefore made to the Legislature for a small allowance, on the ground that the children were received into the Asylum without regard to creed, birthplace, or the county of the State from which they came.—That the institution received all the destitute children that the authorities. (Municipal and State,) sent to it; and that the grand juries frequently reported upon its condition. The application was unsuccessful.

• After this disappointment the only remaining resource was an appeal to the people of San Francisco. It was made and was most nobly responded to.

The amount subscribed amounts to \$8,000, of which nearly all has been collected.

At various times, since the last report was made, general meetings of the Society have been held at the School Room under the Cathedral. At these the Arch-Bishop and various members of the Clergy, and the Officers of the Institution addressed the Society upon the condition of the children under their care. The result was a large increase of the number of members, and the prompt payment of a large amount of initiation fees.

It is to be regretted that by an accident one list of members thus obtained was mislaid; but it is hoped, that persons noticing the omission of their names, will inform the Secretary so that a corrected supplement can be prepared.

In addition to these sources of income, the Society is indebted to the Benevolent Association of the "Sons of the Emerald Isle," for the proceeds of their Annual Ball given on St. Patrick's Day, 1856, which realized the handsome sum of \$901, to Thomas Maguire, Esq., for a performance of Minstrels in aid of the funds of the Institution, which netted, as per Treasurer's Report, \$475, and also to the Miss Gungenheims for a performance at the American Theatre, which netted \$864.

The last annual Fair was postponed by unavoidable circumstances until November. It occurred at a time when the weather was exceedingly stormy, and the nights dark and gloomy. Notwithstanding these obstacles, the ladies who had undertaken the management of the Fair never faltered. The result is a gratifying proof of the triumph of their untiring efforts to make it successful. The amount realized was \$7,900.

Of the amounts derived from all the sources referred to, a large portion was immediately paid to lessen our indebtedness, and to pay for supplies. We commence a new year with a large number of children to provide for, and to the generous people who have sustained us we give our heartfelt thanks with a faithful account of our stewardship.

The monthly expenses of the Asylums, with the closest economy, are necessarily very great. The amount still due on the Buildings, Grounds, and for supplies, is \$7,210.

Accompanying this Report will be found the Constitution and By-Laws of the Association. The terms of membership for the Male or Female Branches is the payment of five dollars annually. Life members fifty dollars in full of all demands.

In conclusion it is but proper to remark that, in this Asylum supported by the people of San Francisco, there are nearly two hundred Orphan Children, a number greater than any city of the Union, of the same population, can exhibit. And when we contrast this number, so large in proportion in the ratio that it bears to the whole number of children in the State, it is a sad commentary upon the accidents of Life in California. By the last Report of the Superintendent of Public Instruction, it appears that there are but twenty-seven thousand children in the whole State, and these returns may be relied upon. A very large proportion of this number is in San Diego, Los Angeles, Santa Barbara, Monterey and the Southern Counties, and a slight examination of the subject will prove, that deducting those who live in the southern Diocess, where their wants are attended to, that one child in every eighty is an Orphan dependant upon the Asylums supported by this City. To those who have, on so many occasions, aided the Orphan's cause, the Trustees, in behalf of the Sisters of Charity, and of the children under their care, beg to return their sincere acknowledgements.

ROMAN CATHOLIC ORPHAN ASYLUM IN ACCOUNT WITH SISTER
FRANCES. Dr.

Expenditures from May 25, 1855, to Dec. 27, 1856.

Paid for provisions, children's clothing, beds and bedding, furniture, girls' wages, making sidewalk, pailings, and interest on money loaned to the Institution,.....	\$12,349 77
Paid on Building for boys and girls,.....	9,574 54
" to Treasurer,.....	2,000 00
" to Mr. John Sullivan,.....	2,000 00
" to Mr. Martin Murphy,.....	2,315 50
" to Rev. John McGinniss,.....	363 11
Expenses of the Fair,.....	1,404 51
Total,.....	<u>\$30,007 43</u>
Cash on hand,.....	64 05

REPORT OF TRUSTEES OF

Receipts from May 25, 1855, to December 27, 1856. Cr.

By Cash from Auxiliary Association, Treasurer	
Half Orphans, Boarders Day School, "Sons of	
the Emerald Isle," Rev. Gentlemen, sale of Vest-	
ments, Books, and other articles made by the	
children,.....	\$12,376 66
Proceeds of the Fair in September, 1855,.....	9,743 12
Proceeds of the Fair in November, 1856,.....	7,951 70
Total,.....	\$30,071 48

INDEBTEDNESS OF THE INSTITUTION.

To Mr. John Sullivan,.....	\$6,000 00
Rev. John Maginnis,.....	821 49
Peter Dunne, Treasurer,.....	388 74
Total,.....	\$7,210 23

FEMALE DEPARTMENT.

Dependent Orphans,.....	86
Half Orphans,.....	30
Boarders,.....	5
Total,.....	121

Their ages are—From 1 to 8, 63; 8 to 14, 58; total—121.

Whole number of female children received, 200; withdrawn, 79—leaving 121.

ABSTRACT OF REPORT OF PETER DUNNE, ESQ., TREASURER OF THE ROMAN CATHOLIC ORPHAN ASYLUM.

Roman Catholic Orphan Asylum, in Account with Peter Dunne, from June 1, 1855, to January 1, 1857.

DISBURSEMENTS.

To balance in favor of Treasurer,	
June 1, 1855, as per Report,....	\$465 83
Cash paid for provisions, &c., for the	
Asylum on Market street,.....	8,205 14
Cash paid to liquidate part of debt	
on buildings,.....	5,000 00—\$13,670 97
Cash paid for provisions, clothing,	
and sundry expenses for the Boys'	
Asylum at San Rafael,.....	4,395 80
Total,.....	\$18,066 77

RECEIPTS.

By cash, in subscription of Members, donations, &c.,.....	\$9,180 21
Cash, in amount of subscriptions taken up in May last,.....	7,156 32
Cash, being proceeds of benefit given by the Misses Goughenheim,.....	864 50
Cash, being proceeds of benefit given by Thomas Maguire, Esq.,.....	477 00—\$17,678 03
Balance in favor of Treasurer,.....	\$388 74

Respectfully, PETER DUNNE, Treasurer.

San Francisco, January 1, 1857.

PROCEEDS OF THE FAIR.

Mrs. Fenton and O'Brien,.....	\$1,209 50
Mrs. Coleman, (grab box,).....	780 00
Mrs. Parrott, ...	620 00
Mrs. Donahue, ...	676 00
Mrs. Fogarty and Miss Powers, (Post Office,).....	250 50
Mrs. George, (Express Wagon,).....	288 62
Mrs. Bradley, ...	255 45
Mrs. Graves,.....	378 25
Mrs. Duff, ...	580 50
Mrs. Masterson, (collected,).....	100 00
Mrs. Hagan, (large picture,).....	605 00
Mrs. Dunne,.....	\$1,000 00
Misses Durkin and Murray,.....	414 50
Miss Golden,.....	272 75
Misses Mitchell and Fox,.....	187 75
Miss Keirnan, (gold watch,).....	100 00
Taken in at the door,.....	1,362 21
Cash, for tickets,.....	371 41
Total,.....	\$9,458 44
Expenses of the Fair,.....	1,529 30

SAN FRANCISCO, Dec. 30th, 1856.

My account was settled on the 25th of May, 1855,
since then I received and paid out the following
sums, viz.

Balance in hand on the 25th of May, 1855, was	\$361 95
From that time to the 9th of September, received	83 50
Up to the 29th September, received.....	33 37

3 Paid of myself for the Institution.....	478 82
	177 68

From the above date, May 25th, 1855, to the 24th of September included, paid out for the following purposes, viz.	
Nurse hire, articles for bedding and beds, provisions, &c., the sum of.....	656 50

JOHN MAGINNIS, *Pastor of*
ST. PATRICK, Happy Valley.

This comprises the close of my management of Boys' Asylum on 1st of October, 1855.

DONATIONS IN MONEY.

Mr. Thomas Hayes,.....	\$ 50 00
Mr. Van Bokelin,.....	50 00
Mrs. Captain Welsh,.....	20 00
From the Estate of Miss Bridget Phelan,.....	100 00
Mrs. D. Murphy,.....	30 00
"Sons of the Emerald Isle,".....	901 00

There were other donations in money and provisions but we are not authorized to give the names of the donors.

Mr. Bovee, coffee donation, acknowledged.

SUBSCRIPTIONS MADE MAY, 1856.

Ex. Gov. P H. Burnett, \$500	John Parrott,.....\$100
Daniel Gibb & Co.,.... 250	H. M. Naglee,..... 100
Palmer, Cook & Co.,.... 200	Dr. A. J. Bowie,..... 100
Gar'n, Mor'n, Ft'z & Ral, 100	Martin Murphy,..... 100
Gov. J. Neely Johnson,.. 100	Wm. T. Coleman & Co., 100
Lucas, Turner & Co ,... 100	Cal. Steam Nav. Co.,... 100
Pioche, Bayerque & Co., 100	Crosbee & Dibblee.... 100
V. Marziou & Co.,..... 100	Taffee & McCahill,.... 100
Abel Guy,..... 100	J. & P. Donahue,..... 100
Drexel, Sather & Church, 100	Thos. Masterson,..... 100
Forbes & Babcock,..... 100	Bosworth, Masten & Co., 50
Macondray & Co.,.... 100	B. Davidson,..... 50
J. P. & R. Haven,..... 100	Janes, Doyle, B. & B.,... 50
Alsop & Co.,..... 100	Falkner, Bell & Co.,... 50
Eugene Kelly & Co.,... 100	Robt. E. Woods..... 50
Milton S. Latham,..... 100	Bolten, Barron & Co.,... 50

Andres Pico,.....	\$50	McKinley, Garrioch & Co.	20
H. Hentch,.....	50	Myles D. Sweeny,.....	20
Peter Chrystal, ..	50	M. Dore & Co., ...	20
H. M. Schwabe & Co.,..	50	White & Wilson, ...	20
M. & J. Phelan, ...	50	J. R. Moller & Co.,.....	20
J. C. Horan, ...	50	Rutte & Co.,.....	20
J. Friedlander,.....	50	J. J. L. Herlich,.....	20
Louis McLane, jr., ...	50	Hobart & Boyle,.....	20
James M. Estell, ...	50	Arrington & Co.,.....	25
Geo. Howes & Co.,.....	25	Wm. Langernam,.....	25
Bingham & Reynolds,..	25	R. E. Bennett & Co.,...	25
John Saulnier,.....	25	B. C. & T. L. Horn,....	25
F. Frank & Co.,.....	25	Green, Heath & Allen,.	25
W. Meyer, Elton & Co.,	25	Hosmer, Snyder & Co.,...	25
J. Y. Hallock & Co.,...	25	Shaw & Reed,.....	25
John A. Monroe,.....	25	C. J. D.,.....	25
H. M. Gray, M. D.,....	25	Frank Baker, ...	25
Morgan, Hathaway & Co	25	A. Harazthy,.....	25
J. C. Hayes, ...	20	N. Larco, " <i>imaginary</i>	
A. J. Moulder, ...	20	<i>brokerage</i> ,"	25
Hall McAllister,.....	20	Geo. H. Sunder,.....	20
J. Frontin, ...	20	Laviosa, Morengo & Co..	20
G. B. Post, ...	20	Hyneman, Pick & Co.,..	20
Y. Urritia, ...	20	Consul of Belgium,.....	20
F. Sanjurgo, ...	20	Gladwin, Hugg & Co.,..	20
M. Dillon, ...	20	T. L. Lambert,.....	20
Sullivan & Cashman,...	40	A. B. Southworth, ...	20
Lazard Freres, ...	30	C. C. Webb, ...	20
David Scannell, ...	25	"Santa Clara,"	20
Rouset Auger & Co.,...	25	W. L. Chrysler, ...	20
Helman Brothers,.....	25	Ulmer Figenbaum,.....	20
Selover, Sinton & Co.,..	25	John Searle, ...	20
C. P. Stone, ...	25	James Grant, ...	20
P. H. & P. A. Owens, ..	25	John Hagan,.....	20
A. B. Grogan, ...	25	P. Wesinger,.....	20
S. H. & Co., ...	25	John McKeen, Esq., for	
P. Maury, jr., ...	25	collections in Calave-	
Jas. Patrick & Co.,....	25	ras County.....	\$161 50
Ziel Berthau & Co.,....	25	H. La Rientree, proceeds	
J. J. Lecount	25	of a Lecture, ...	\$38
J. Mora Moss,.....	25	Lowe, Ebbetts & Co.,...	15
Thomas Tobin,.....	25	DeRo, Bendixen & El-	
Fox & O'Connor,.....	25	dridge, ...	15
Edwards & Bailey,....	25	Mr. Castle,.....	15
Newhall & Gregory, ...	25	Main & Winchester,....	15
J. Legauterie & Co.,...	20	W. G. Badger,.....	15
Dickson, DeWolf & Co.,	20	Hon. F. Tilford,..	15

Adelsdorfer & Bros.,....	\$15	Bryan Bolton,.....	\$10
George Hagen,.....	10	B. P. Griffin,.....	10
J. E. Body,.....	10	Mr. Bell,.....	10
George W. Ryder,.....	10	Louis Brady,.....	10
G. N. Shaw,.....	10	Mr. Redington,.....	10
May & Co.,.....	8	P. S. Kostromidinoff,...	10
W. Goodale,.....	10	Charles Lux,.....	10
John Roach,.....	10	John Carrol,.....	10
B. Allein,.....	10	Fargo & Co.,.....	10
Sontag & Co.,.....	10	Kreyenhagen, Krause &	
John Melville,.....	10	Co.,.....	10
W. M. Smith,.....	10	Bandman, Neilson & Co.	10
W. Reynolds,.....	10	Cash, per Auctioneer, W.	10
George R. Ward,.....	10	T. Tillotson & Co.,....	10
Davis & Seger,.....	10	Mayer & Bros.,.....	10
Thomas Bergin,.....	10	Wm. Horr & Co.,.....	10
Milton & Deney,.....	5	J. B. Newton & Co.,....	10
Henschel & Maurice,...	5	Richard Patrick,.....	10
J. D. Bristol,....	5	DeLong, McNeil & Co.,.	10
R. H. Bowlin,.....	5	Harman D. Chilles,....	10
J. A. Richart,.....	5	Mr. Belknap,.....	10
Francis Poe,.....	5	Esche Bros.,.....	10
J. S. Thompson,.....	5	J. D. Hunt,.....	10
F. Shockley,.....	5	Ira P. Rankin,.....	10
Rebard Freres,.....	5	Frederick Green,.....	10
Captain Roxby,.....	5	Gordon, Brooks & Root,	10
Brown & Crowell,....	5	Bradshaw & Co.,.....	10
Serles & Johnson,.....	5	Edward Martin,.....	10
C. Courtin,.....	5	Brosnan,.....	10
— Hughes,.....	5	Jansen, Bond & Co.,...	10
Mrs. Daniel B. Martin,.	5	Jas. B. Roberts & Co.,	10
John Perry,.....	5	J. Seligman & Co,.....	10
L. W. Fisher,.....	5	H. Vanvalkenburgh,...	10
Ira Munson,.....	5	Wm. Been,.....	10
Barry & Patten,.....	10	M. S. Martin,.....	10
Turnbull, Walton & Co.	10	M. Paddock,.....	10
N. Larco,.....	10	J. B. Shaffer,.....	10
James de Fremery,....	10	John M. Keen,.....	10
J. C. Baldwin,.....	10	Woodworth & Co.,....	10
H. C. Irving,.....	10	Wm. G. Morris,t.....	10
E. J. M., 23 Mont'y Block	10	Alfred Edmundson,.....	5
H. M. Hale,.....	10	Ch. Bourdin,.....	5
L. E. Ritter & Co.,...	10	J. H. Brown,.....	5
Henry Toomy,.....	10	W. H. Oliver,.....	5
Philip McShane,.....	10	A. L. Tubbs,.....	5
J. Callahan,.....	10	Capt. Johnson,.....	5
		A. L. Edwards,.....	5

John A. Drinkhouse,...	\$5	Mr. Johnson,.....	\$5
Cash	5	Francis E. Brady,.....	5
M. Frisius,.....	5	Adrian & Story,.....	5
C. A. Low & Co.,.....	5	J. B. Timmerman,.....	5
C. W. Baldwin,.....	5	Gustave Burnhard,.....	5
M. Vanleck, ...	5	E. Smith,.....	5
J. Schmeidell,.....	5	Mr Guerin,.....	5
J. Kurtz, ...	5	T. Rosenthal,.....	5
Schloss, ...	5	P. Lott,.....	5
Jim Walsh, ...	5	J. R. Snyder,.....	5
U. & L. Simon,.....	5	J. M. Eckfeldt,.....	5
Godchanx, Levy & Co.,	5	J. H. Snyder,.....	5
J. E. Woolf,.....	5	John Randolph,.....	5
L. & W., ...	5	R. Krunbach, ...	5
Hamburger Bros.,.....	5	Rountree & Co.,.....	5
Spatz & Newhouse,....	5	W. Caspan,.....	5
Dr. R. Provost,.....	5	F. W. Sawyer,.....	5
Lindanes Bros.,.....	5	Verdier & Kaandler,....	5
A. Wolf,.....	5	George J. Helland,....	5
Levi Strauss,.....	5	Mr. Eaton,.....	5
Henry Newstader,.....	5	D. George,.....	5
Samuel Baker,.....	5	Mr. Massmann,.....	5
Selbermann & Co.,.....	5	H. Kimball,.....	5
Kline & Forshine,.....	5	P. Taggart,.....	5
M. Morganthan,.....	5	J. B. Haemstad,.....	5
H. Unger,.....	5	H. Hanssmann,.....	5
Col. Gift,.....	5	C. H. Strybing,.....	5
Thomas Maguire,.....	5	Hagemann & Co.,.....	5
John Brady,.....	5	William Lewis,.....	5
A. Hecht,.....	5	Goin, Scott & Ellis,....	5
W—— Bros.,.....	5	C. A. Mathieu,.....	5
Bahman Bros.,.....	5	H. Lundby,.....	5
Robert Reed,.....	5	J. Bonneron,.....	5
M. Louisson & Co.,....	5	A. Brustera,.....	5
Levison Bros. & Co.,...	5	C. L. W.	5
J. W. Morrison,.....	5	D. S. Smith,.....	5
James A. Fortune,.....	5	Chauces fils,.....	5
George Bowen,.....	5	O. P. Sutton,.....	5
B., H. & Co.,.....	5	Mr. Baum,.....	5
J. C.,.....	5	Peter Smith,.....	5

Several persons promised donations of provisions. &c., but would not allow their names to be mentioned.

Several sums under five dollars were subscribed, and the amount received is in the Treasurer's account.

Those who have not paid their subscriptions are requested to do so at their earliest convenience.

Constitution and By-Laws

OF THE

ROMAN CATHOLIC ORPHAN ASYLUM,

AND

FREE SCHOOL ASSOCIATION OF SAN FRANCISCO.

ADOPTED IN A GENERAL MEETING AT THE SCHOOL-ROOM ADJACENT
TO THE CHURCH ON VALLEJO STREET, MARCH 23, 1851.

ARTICLE I.

SECTION 1. This Society shall be known and distinguished by the name of "The Roman Catholic Orphan Asylum and Free School Association, of San Francisco."

SEC. 2. The object of this Society is, and forever shall be, to provide a permanent fund to be applied to the support and maintenance of such orphans as may be committed to the care and protection of the Sisters of Charity within the City and County of San Francisco, and also of any other charity approved of by the Bishop of the Diocese.

ARTICLE II.

SEC. 1. The officers of this Society shall consist of a President, Vice-President, Secretary, and Treasurer.

SEC. 2. It shall be the duty of the President to preside, keep order, and put the laws in force. He shall have the casting vote only, and shall appoint all committees whose appointment is not otherwise provided for.

SEC. 3. The Vice-President shall, in the absence of the President, perform the duties of the President; in all other cases, the Vice-President shall be as other members of the Society, except as hereinafter mentioned.

SEC. 4. It shall be the duty of the Secretary to provide a suitable place for the Society to meet in, keep correct minutes of its transactions, preserve its papers, note fines, notify members for special meetings, receive all dues and donations, transfer them to the Treasurer, and keep a correct account with him and the Society, and upon the expiration of his term of office, he shall deliver up to the Society all books, papers, and effects of the Society in his possession.

SEC. 5. It shall be the duty of the Treasurer to take charge of all moneys of the Society, keep an account of receipts and expenditures, but at no time to pay out any money except as hereinafter specified. He shall make a report annually, and oftener if required.

SEC. 6. The Treasurer shall, at the expiration of his term of service, deliver over to the Society, on demand, all moneys, books, papers, and other effects of the Society in his hands.

SEC. 7. The Treasurer must give security, to be approved of by a majority of the officers of the Society, for the due performance of his trust.

SEC. 8. The officers of this Society shall be elected annually, on the first Sunday in June.

ARTICLE III.

SEC. 1. Any person of good character may become a member of this Society upon paying the sum of five dollars, which shall be considered his annual subscription or contribution, provided such person be not disapproved of by the majority of the members present at the next meeting.

SEC. 2. The Catholic Clergy of this Diocese shall be, *ex officio*, honorary members of this Society.

SEC. 3. Any officer or member of this Society being adjudged guilty, after impeachment, of improper conduct, may be deposed or expelled by a vote of this Society of not less than two-thirds of those present.

SEC. 4. No officer or member of this Society shall be deposed or expelled without due notice of the charges against him, accompanied by a copy of such charges, and an opportunity of being heard on them before this Society.

ARTICLE IV.

SEC. 1. Each member of the Society shall pay an annual contribution of five dollars, and in default of so doing, shall be no longer a member thereof.

ARTICLE V.

SEC. 1. This Society shall meet on the first Sunday of every month, and annually on the first Sunday of June.

SEC. 2. The President, at the request of five members, shall order a special meeting of the Society.

SEC. 3. Fifteen members shall constitute a quorum.

ARTICLE VI.

SEC. 1. The government and direction of this Society, and all things to it belonging, shall be vested in a Board of

Trustees consisting of nine, (9) to be chosen by ballot from the body of the Society at the general election meeting.

SEC. 2. The officers of the Society shall be elected from the Board of Trustees by a general vote of the Society, and shall also in their respective ranks be the officers of the Board of Trustees.

SEC. 3. The Board of Trustees shall meet at least once a month.

SEC. 4. A majority of the Board of Trustees shall constitute a quorum for the transaction of business.

SEC. 5. The Board of Trustees are authorized to draw on the Treasurer for such money as they shall deem proper, to be applied to the objects of the Society: the drafts shall be signed by the President, and countersigned by the Secretary.

SEC. 6. The Board of Trustees shall report their proceedings and the state of the Orphan Asylum aforesaid annually, or oftener if required.

SEC. 7. Should the seat of any officer or member of the Board be vacated, another member shall be elected to supply his place at the first general meeting thereafter. His term of service shall expire with that of his colleague.

ARTICLE VII.

SEC. 1. The Treasurer shall pay all drafts of the Board of Trustees specified in Article VI., Section 5. He shall, in like manner, pay all drafts authorized by the Society, which shall be signed by the President and countersigned by the Secretary.

ARTICLE VIII.

SEC. 1. Females who wish to contribute to the objects of this Institution, and who will form an association for that purpose, shall be recognized as a collateral branch of this body, under the appellation of the Auxiliary Female Roman Catholic Orphan Asylum Society.

SEC. 2. Their regular meetings shall be attended by a committee from this Society to receive their reports and contributions, which shall be laid before the Society.

ARTICLE IX.

SEC. 1. No alteration of, amendment, or addition to this Constitution shall be made, except by consent of two-thirds of the members present at a general or special meeting of the Society duly convened. Nor shall any such amendment be deemed as binding upon this Society until it has received the

approval of the Archbishop of the Diocese, expressed in writing.

ARTICLE X.

Sec. 1. If any member of this Society offers an amendment to this Constitution, it shall be the duty of the President to draw with to appoint a committee of three to take the same under consideration, with instructions to report at the next annual meeting of the Society; and until said committee make their report, no further action shall be taken by the Society on the proposed amendment, except requiring the committee to report.

ARTICLE XI.

Sec. 1. The Archbishop of the Diocese is fully invested with veto power, with regard to all acts of this Society or Board of Trustees thereof, but he is to be deemed as sanctioning all acts of the Society and Board of Trustees, when he does not expressly disapprove of them.

ARTICLE XII.

Sec. 1. By-Laws shall regulate all matters of the Society wherein specially provided for.

BY-LAWS.

Every person whose name is duly recorded in the proper book as a member of this Society, (and no other,) shall be entitled to vote at the election of officers, and upon all other questions that the vote of the Society is taken.

The name and residence of every person admitted a member of this Society shall be recorded, with the amount of subscription during the year, in alphabetical order, by the Secretary, in a book to be provided for that purpose.

It shall be the duty of the Secretary to report to the Society once a year, on the first Sunday in June, the names of all members of this Society who shall not have paid the amount of contribution required by Section 1 of Article IV. of the Constitution.

It shall be the duty of the Secretary to have a notice of regular meetings of this Society read in the usual manner in each of the Catholic Churches on the day of meeting.

Any Officers of this Society (including the members of Board of Trustees) who shall be absent from any of the

regular meetings thereof, shall be fined one dollar for each time he is so absent, unless excused by a vote of the Society.

6. When any members of this Society shall require the President to call a special meeting thereof, this request shall be made in writing and signed by the number of members required by the 2d Section of Article 5th of the Constitution.

7. The President of this Society shall be the person authorized to demand and receive all books, moneys and papers belonging thereto, from the Secretary, Treasurer, or other officer thereof, on the expiration of their term of service, or at any time it may become the duty of any of them to deliver the same to the Society.

8. At a general meeting of the Society, there shall be two auditors elected by a general vote, whose duty it shall be to audit the acts of the Society and report the state thereof at such times as the Society may direct. No officer of this Society, or member of the Board of Trustees, shall be eligible to the office of Auditor.

9. There shall be two Physicians and two Lawyers elected by a general vote of the Society, who shall be requested to give their professional services to this Society when it may be required.

10. Any member of the board of Trustees who shall be absent from any meeting thereof, shall be fined one dollar for each time he is so absent, unless excused by a vote of the Board, or of the Society.

14. Any of the By-Laws of this Society, can be repealed, or suspended for a given time, by the consent of two thirds of the members present at a general meeting of the Society.

12. Females who comply with the provisions of the 1st Section of Art. III. of the Constitution, shall be considered members of this Society.

13. It shall be the duty of the Secretary to notify the members of the Board of Trustees of the regular and special meetings thereof.

14. The order of proceedings at the general meetings of the Society shall be as follows.:

1st. Reading of the minutes of the last meeting.

2d. Receiving the contributions and names of members and of those who wish to become members.

3d. Receiving the report of any Committees which may have been appointed at any previous meeting.

4th. Receiving Reports of the Collecting Committees, when they are required to make such.

5th. Special or other elections, should any be necessary.

6th. Ascertaining the names of Officers and members of the Collecting Committee who may be absent.

7th. Hearing reasons (if there should be any offered) why fines which may have been imposed should be remitted.

8th. Any miscellaneous business which may be brought before the Society.

9th. Adjournment.

LIST OF OFFICERS,

FROM DATE OF ORGANIZATION, MARCH 23, 1851, TO JAN. 1, 1857.

PRESIDENTS.

- 1851-52—John A. McGlynn,
- 1852-53—Charles D. Carter.
- 1853-54—John A. McGlynn.
- 1854-55—Charles D. Carter.
- 1855-56—Philip A. Roach.
- 1856-57—Philip A. Roach.

VICE-PRESIDENTS.

- 1851-52—Thomas McCahill and George Hyde.
- 1852-53—Wm. F. White and John Sullivan.
- 1853-54—Charles D. Carter.
- 1854-55—J. A. Hardie, U. S. A.
- 1855-56—Gustave Touchard.
- 1856-57—Gustave Touchard.

SECRETARIES.

- 1851-52—Demetrius A. Magehan.
- 1852-53—Charles D. Carter.
- 1853-54—John P. Buckley.
- 1854-55—E. P. Seymour.
- 1855-56—E. P. Seymour.
- 1856-57—John A. McGlynn.

TREASURERS.

- 1851-52—William F. White.
- 1852-53—Rev. John Maginnis.
- 1853-54—James Dunne.
- 1854-55—Peter Dunne.
- 1855-56—Peter Dunne.
- 1856-57—Peter Dunne.

AUDITORS.

- 1851-52—Eugene Casserly, Moses E. Flanagan.
- 1852-53—R. F. Ryan, B. Derham.
- 1853-54—B. Derham, Peter Dunne.
- 1854-55—B. Derham, John Morris.
- 1855-56—C. D. Carter, James Hagan.
- 1856-57—D. J. Oliver, James Dunne.

LIST OF OFFICERS.

SOLICITORS.

- 1851-52—J. H. Clay Mudd, Chas. McC. Delany.
 1852-53—J. H. Clay Mudd, Chas. McC. Delany.
 1853-54—Chas. McC. Delany, Richard Tobin.
 1854-55—Chas. McC. Delany, Richard Tobin.
 1855-56—Chas. McC. Delany, Richard Tobin.
 1856-57—Chas. McC. Delany, Murray Morrison.

PHYSICIANS.

- 1851-52—Drs. P. M. O'Brien, N. C. Skinner.
 1852-53—Drs. P. M. O'Brien, Henry Gibbons.
 1853-54—Drs. P. M. O'Brien, Henry Gibbons.
 1854-55—Drs. C. S. Tripler, H. S. Hewett.
 1855-56—Drs. H. S. Hewett, ——— Bennett.
 1856-57—Dr. Bennett.

BOARD OF MANAGERS.

1851, 1852

Eugene Kelly,
 John Sullivan,
 Michael Delaney,
 John Reynolds,
 Patrick Fenton,
 Francis Buckley,
 James Gallagher,
 John Kempsey,
 John B. Redmond,
 D. J. Oliver,

Capt. Chas. Welsh,
 James Donne,
 Edward Martin,
 David C. McCarthy,
 R. J. Tobin,
 Daniel C. McGlynn,
 Charles D. Carter,
 Thomas Johnson,
 R. F. Ryan,
 Bartholomew Derham.

1852, 1853.

Eugene Kelly,
 P. Fenton,
 D. A. Magchan,
 Nicholas Reynolds,
 Henry Toomy,
 Francis Buckley,
 John Kempsey,
 Capt. Chas. Welsh.
 Philip McKenna.
 James Dunne,

Edward Martin,
 William Taaffe,
 D. C. McGlynn,
 D. J. Oliver,
 P. W. Barry,
 Thomas Johnson,
 Matthew Delany,
 Joseph J. McKenna,
 Peter Hogan,
 Thomas Golden.

BOARD OF TRUSTEES.

1853, 1854.

John A. McGlynn,
 James Dunne,
 D. J. Oliver,
 Patrick Fenton,
 Chas. D. Carter,

John Sullivan,
 Myles D. Sweeny,
 Matthew Maume,
 John P. Buckley.

ANNUAL MEMBERS.

1854. 1855.

James Donahue,	E. P. Seymour,
Nicholas Reynolds,	Peter Dunne,
Philip A. Roach,	Chas. D. Carter,
Michael Phelan,	J. A. Hardie, U. S. A.
John B. Redmond,	

1855, 1856.

Philip A. Roach,	Peter Donahue,
John Sullivan,	Peter Dunne,
Joseph A. Donohoe,	John Mel,
Gustave Touchard,	E. P. Seymour.
J. A. Hardie, U. S. A.	

1856, 1857.

Gustave Touchard,	Joseph A. Donohoe,
Philip A. Roach,	Peter Donahue,
Peter Dunne,	John A. McGlynn,
Chas. B. Polhemus,	Peter Chrystal.
John Sullivan,	

LIFE MEMBERS.

Most Rev. Jos. SADOE ALE-	S. C. Hastings,
MANY, D. D.	Phillip A. Roach,
Peter Donahue,	Capt. Wm. T. Sherman,
Peter Dunne,	Gustave Touchard,
James Dunne,	Rev. J. F. Lebaria,
Rev. John Harrington,	Rev. Ingoldsby.
John C. Horan,	

ANNUAL MEMBERS.

J. M. Ahem.	Corcoran,
James Byrne,	William F. Cashman,
John Bradley,	P. Chrystal,
John Broderick,	William J. Cosgrove,
Michael Burke,	Charles Cunningham.
Bryan Bolton,	Peter Donahue,
John P. Buckley,	Peter Dunne,
James Byrne,	Matthew Durrigan,
Francis Buckley.	John Difford,
Peter Campbell,	Hugh Duffy,
J. Cushing,	Joseph A. Donohoe,
Edward Casey,	Peter Doyle,
Charles D. Carter,	Lewis Descaso,
Patrick Campbell,	Charles M'C. Delaney,
William Corcoran,	Thomas Dublin,
J. P. Corrigan,	James Dunne,
Patrick Canny,	William Dunne,
Thomas Cassidy,	P. Durkin,

Bartholomew Derham.
 James Eagan.
 — Feilds,
 John Fay,
 T. Foley,
 William Fogarty,
 Philip Farrelly,
 P. Fenton.
 Thomas Golden,
 Michael Guerin,
 Rev. H. P. Gallagher,
 John Grant,
 Christopher Garvey,
 M. Green,
 James Gormley,
 John Ginty,
 M. Greeny.
 J. A. Hardie, U. S. A.
 T. A. Hughes,
 R. P. Hammond,
 James Hyland,
 Bernard Hughes,
 Arthur Hughes,
 John Halligan,
 M. Heffernan,
 D. J. Hogan,
 Capt. James Hagan.
 Deny Keating,
 J. J. Kearney,
 F. Kearnan,
 Geo. Kavanagh,
 Michael Kane, jr.
 John Lynch,
 James Luney,
 Patrick Lynch,
 Thomas Lindsey,
 Thomas A. Lynch,
 John Loughran,
 Rev. J. F. Llebaria,
 Denis Lyons,
 Henry La Reintrie.
 D. Murphy,
 C. Mooney,
 James Morrison,
 Capt. Thomas Moore,
 John Mogan,
 James Moore,

L. Maxwell,
 Robert Morrison,
 Martin Murphy,
 John Mulligan,
 C. Mogan,
 John Mell,
 Alexander Maher,
 Christian Maher,
 Murray Morrison,
 Daniel T. Murphy,
 Lawrence Mathews,
 Richard Mogan,
 Rev. John Maginnis,
 Edward Martin.
 William McMichael,
 T. McCaffrey,
 Francis McAray,
 Edward McShane,
 Francis McAvoy,
 Major McMahon,
 Thomas McLaughlin,
 John McCarthy,
 John A. McGlynn,
 Daniel C. McGlynn,
 William McCormack
 M. McNamara,
 William Naglee,
 Richard Naglee,
 Robert Neely,
 D. J. O'Callaghan,
 D. J. Oliver,
 J. B. Oliver,
 John O'Kane,
 John O'Brien,
 P. J. O'Brien,
 C. D. O'Sullivan.
 James O'Callaghan,
 Michael O'Brien,
 James O'Connell,
 H. O'Donnell.
 John O'Meara,
 P. M. O'Brien, M. D.,
 Michael O'Neill.
 Basilio Pedroncini,
 Jno. Parnell,
 James Pratt,
 Edw. Pacey.

Charles B. Polhemus,
 Michael Phelan,
 James Phelan
 James Quinn.
 John B. Redmond,
 John D. Redmon,
 J. Reilley,
 John Roach,
 Philip A. Roach,
 J. P. Ronayne.
 E. P. Seymour,
 John Sullivan,
 John Saulmer,
 Jacob R. Snyder,

M. Sanchez,
 John Smith,
 Michael Sauntry,
 Charles Smith,
 Myles D. Sweeny.
 Gustave Touchard,
 James Tobin,
 John Take,
 Thomas Tobin,
 Robert J. Tobin,
 Richard Tobin.
 Edward Wallace,
 Lawrence Walsh,
 S. T. Walsh.

List of Officers of the Ladies' Auxiliary Orphan Asylum Society.

LADY MANAGERS.—1855, 1856.

Sister Frances McEnnis, Mrs. Peter Donahue,
 Mrs. John Parrott.

1856, 1857.

PRESIDENT—Mrs. John Parrott.

SECRETARY—Mrs. Peter Donahue.

TREASURER—Sister Frances McEnnis.

The following is a list of the Lady Members.

Miss B. Athy,
 Agnew,
 Mrs. Ames.
 Mrs. S. Bradley,
 F. Buckley,
 J. P. Buckley,
 Miss E. Burns,
 S. Burns,
 Mrs. H. Bennett.
 Mrs. Cassin,
 Cromley,
 J. Coleman,
 Miss B. Carroll,
 Anne Conlan,
 B. Conroy,
 Mrs. Peter Chrystal,
 Miss Elizabeth Leary,
 Mary Laughlin.
 Mrs. Mary Mooney,
 Ann Massey,
 Morton,

Mrs. Murtha,
 D. Murphy,
 John A. McGlynn.
 Edward Martin,
 Dan'l J. Murphy,
 Miss M. A. Murphy,
 Martha May,
 Ellen Mullen,
 Ann McCoy,
 Sarah McLoughlin.
 Mrs. McDermott,
 C. D. Carter,
 Mrs. J. Dunne,
 Peter Donahue,
 F. Doyle,
 James Donahue,
 James Dunne,
 Jules David,
 E. Donnelly,
 Peter Duffey,
 Desmond,

Mrs. Denney,
 Miss E. Darkin,
 Mrs. P. Fenton,
 Zubia M. Fields,
 Fogarty.
 Mrs. Ed. Gallagher,
 G. W. Guthrie,
 Thomas Golden,
 John Grant,
 Miss Rose Gagen,
 Gallagher,
 Ann Gallagher.
 Rebecca Gregory,
 M. J. Gregory,
 Margaret Golden,
 Mrs. J. A. Hardie,
 James Hagan,
 R. P. Hammond,
 M. A. Hampton,
 Hanover,
 R. Haggerty,
 Hart,
 Miss Jane Hughes,
 Ann Hogan.
 Mrs. Mary Kelly,
 James Kelly,
 Rose Kelly,
 E. Kane,
 Kavanagh,
 Kean.
 Miss Ellen Kelly,
 Mary Kelly.
 Mrs. Sarah Lister,
 T. A. Lynch,
 Denis Lyons,
 Luning,
 Jas. McNamara,
 McEntree,
 John A. McGlynn,
 Miss E. McAdams,
 Mary McGuire,

Miss Kate McClure.
 Catherine McGully,
 Mrs. Dr. Nutall,
 R. Neely,
 Michael O'Brien,
 Miss Mary Nolan.
 Mrs. John O'Meara,
 C. D. O'Sullivan,
 D. J. Oliver,
 John O'Brien.
 John F. O'Connor,
 Moses O'Connor,
 John B. Oliver,
 D. J. O'Callaghan,
 Miss Susan Owens,
 Mary O'Rourke,
 Mrs. John Parrott,
 C. B. Polhemus,
 Plunkett,
 Miss Mary Powers.
 Miss M. Quigley.
 Mrs. J. B. Redmond,
 Rose Rock,
 Miss Maria L. Roach,
 M. Reilley,
 S. Riley,
 B. Riley.
 Mrs. E. P. Seymour,
 W. T. Sherman,
 J. R. Snyder,
 Seerey,
 Miss Jane Sevigney,
 Kate Sullivan,
 C. Stapleton,
 Ellen Sullivan.
 Mrs. A. W. Wilson,
 Waterhouse,
 Wensinger,
 Capt. C. Welsh,
 Miss Ann Waterhouse,
 Margaret Woods,
 Hannah Walsh.

Respectfully submitted :

PHILIP A. ROACH.
 PETER DUNNE.
 CHARLES D. CARTER,
 JOHN A. MCGLYNN,

Committee on Annual Report.

SAN FRANCISCO, January 1, 1857.

REMONSTRANCE
OF THE
CITY OF SAN FRANCISCO,
TO THE LEGISLATURE
OF THE
STATE OF CALIFORNIA,
AGAINST THE EXTENSION
OF THE
CITY OF SAN FRANCISCO.

SAN FRANCISCO:
COMMERCIAL ADVERTISER POWER PRESSES.
1854.

SAN FRANCISCO, April 24, 1854.

To the Common Council of the

City of San Francisco :

I beg to call the attention of the gentlemen of the Common Council, to the enclosed copy of a Bill introduced into the Assembly of this State by Mr. DAWLEY, entitled "An Act to take possession and dispose of certain Water Lot Property in the Bay of San Francisco;"—in fact, reviving that corrupt scheme of Extension which was some time since submitted to and repudiated by the people of this City and State.

It behooves your Honorable Body to take such prompt and earnest measures in the premises as will prevent such a glaring error from being foisted upon our citizens, and maintain theirs and the Municipal rights—measures that will set at rest forever all such attempts at improper legislation.

I have the honor to remain,

Yours, truly,

C. K. GARRISON, *Mayor.*

*To the Hon. the Senate and Assembly,
of the State of California.*

The remonstrance of the Mayor and Common Council of the City of San Francisco, respectfully shows :

That your remonstrants have learned with deep regret that several bills have been introduced having for their object the extension of the Water Front of the City of San Francisco. A careful examination of the subject has convinced your remonstrants that the adoption of this scheme would involve the most injurious consequences to the interest, welfare and rights of the corporation ; would create a long, tedious and expensive litigation, and would be an unwarrantable invasion of vested rights.

As the question of extension has been very generally discussed, your remonstrants do not deem it necessary to enter into a lengthy argument to prove the correctness of all the objections which have heretofore been made to this measure, but merely to set forth in a plain and respectful manner the evil consequences which must necessarily result to this corporation and to the People of San Francisco, from the passage of any of the extension bills now before your honorable bodies. By the act known as the 1st Water Lot Act, a permanent water-line was established, and by the 2nd Water Lot Act, authority was given to the City "to construct wharves at the end of all the streets, commencing with the Bay of San Francisco, the wharves to be made by the extension of said streets into the Bay, in their present direction, not exceeding 200 yards beyond the present outside line of the Beach and Water Lots." And it was further provided that, "The space between said wharves, when they are extended, which is situated outside of the outer line of the Beach and water property as defined by the Legislature, shall remain free from obstructions and be used as public slips for the accommodation and benefit of the general commerce of the City and State." In pursuance of the above laws, and while they were in full and undisputed force and operation, the City of San Francisco entered into numerous contracts for the extension and construction of wharves to a point 600 feet beyond the line of the Water Front as fixed by the 1st Act. Different individuals and companies have expended immense sums under these contracts ; facilities have been provided for the accommodation of our foreign and domestic commerce, and all the benefits to trade which were originally contemplated, have been realized.

Although an act was passed at the last Session of the Legis-

lature, repealing the two acts above mentioned, it cannot be contended that such repeal divested any vested right which had been acquired, or impaired the obligation of any contract made under them. If the State granted a franchise, or made a dedication, it cannot take away what it has granted. If it unwisely gave, it cannot call back the gift.

On the faith of the 4th Section of the Act first referred to, property has been sold by the city upon the line thereby established, for prices which could not otherwise have been obtained, and the State has been paid its proportion of the proceeds. It has not only enacted what shall be the permanent water front, but, has received the benefit of the enactment—the money paid by the purchasers for front lots. Can it then, in common justice, deprive those purchasers of the property thus bought and paid for, upon the strength of its solemn declaration? or (which practically amounts to the same thing,) destroy the value of that property by not only abrogating the law on which the purchase was founded, but also passing another law which establishes a new line and carries the water front 600 or 800 feet beyond them? Apart from all legal rule, your remonstrants are unable to perceive upon what moral principle such legislation can be advocated or sustained. If an individual, when he sells or grants property to another, stipulates that he shall have a certain right of way to it, he cannot afterwards close up the way or say that he has changed his mind and thinks another mode of access more convenient and better suited, either to his own interests or those of his grantee. If a man sells a lot of land according to a description in a map, and by the map the lot fronts on a certain street, which, for the purpose of inducing persons to purchase, the owner has chosen to lay out upon the paper, he cannot afterwards say that the street is his private property, and close it. The legal decisions on this subject are perfectly uniform. They are founded, not upon any express statute, but, upon the plain principles of justice and equity—upon the supposition, that one man may not rightfully or lawfully induce another to invest his money or to act upon promises and representations without holding him to their fulfillment. Assuming then that such is the rule between individuals, is it not so as to States? No valid distinction can be drawn between the two cases. Apply then the principle to the present case. The State of California, in March 1851, established and declared a certain line to be the permanent water front of the city; it granted to the city certain lands within and fronting upon that line, providing that the city should pay one-fourth of the proceeds of all subsequent sales of the property granted. In view of all this, when the city offered the lands for sale, pur-

chasers made their bids with direct reference to the permanent water front. The lots immediately upon the line commanded immense prices; others brought more or less, in proportion to their distance from the water front. The State and City Treasuries were replenished; the purchasers were satisfied, because they had acquired land, which, in view of the declarations and promises of the State, possessed great value, and was certain to become the receptacle of a great and ever increasing commerce. Shall they now be told that their faith was not well founded? that the State does not intend to adhere to the solemn declaration it has made? that now, when the property is sold and the money divided between the State and the City, they are to be deprived of their anticipated gains and made to realize a loss, where they should have reaped a benefit? Is the great natural highway, which the State declared should not be obstructed, but should remain permanently free and open, to be now closed?

It may be urged, however, that the provision contained in the 4th Section, is not in the nature of a contract, but a mere legislative declaration of intent, and subject at any time to change or modification. Even were we to concede the truth of this position, and thus waive all objection to the legality of the contemplated proceeding, so far as the Act of March, 1851, is concerned—we humbly submit that it would be morally wrong for the State to act adversely to its own declaration, upon which individuals and the City have acted, and which has brought money into the State Treasury by enhancing the value of the lands in reference to which it was made. But is not that declaration in the nature of a contract? It seems to your remonstrants that it is clearly so. The intention of the first Water Lot Act was not only to make a grant of certain property, but to establish a certain boundary; to give an assurance to purchasers and holders that they should occupy a certain position in reference to the wants of commerce, and to insure to them free access to their land by certain defined highways, by water and by land. The State contemplated the future sale of a large portion of the property. It well knew that its value mainly depended on, and would be fixed and determined by, the establishment of the water front; and it was for that purpose that the 4th Section was inserted. It therefore cannot be taken as a mere abstract declaration of intention, but forms a material portion of the grant or contract.

Upon these grounds, your remonstrants respectfully submit that the repeal of the Act of March, 1851, did not legally, and cannot rightfully, affect the location of the water front; and that any legislation adverse to the 4th Section of that Act would be alike unconstitutional and in violation of the plighted faith and honor of the State.

Your remonstrants propose further to shew, that apart from the injustice of the measure, (as in connection with the first Water Lot Act of 1851,) its adoption would lead, if possible, to still more disastrous and unjust results when considered in reference to the second. When by the 1st Section of that Act the City was empowered to construct wharves at the end of all the streets by the extension of the streets in their present direction, not exceeding two hundred yards beyond the water line established in March, and it was provided that the space between such wharves, which is situated outside of the outer line of the Beach and Water Lots, should remain free from obstruction and be used as public slips,—it could not have entered into the mind of any member of the Legislature, that under such a provision wharves should be built, immense sums should be expended, and millions should be invested, without some substantial benefit to be derived. It seems to these remonstrants a proposition beyond the reach of argument, that apart from the provision that the slips shall be kept open and unobstructed, the grant of the power to construct wharves and to prescribe the rates of wharfage, necessarily involves the right to keep open the space between the wharves. Upon any other construction the grant would be nugatory and valueless. But, when the express provision that the slips shall be kept open and unobstructed, is considered, we are unable to perceive any shadow of ground upon which the Legislature can sell the slips thus laid out, and convert a general public easement into private property. The right to build wharves upon property belonging to the State, and to use certain property for the purposes of slips, is clearly a franchise. Once granted, it cannot be recalled without the consent of the grantee. Even if the City had as yet done nothing towards the erection of the wharves, its rights would, in the judgment of these remonstrants, be as perfect as they ever were, and it could not be deprived of them by any act of legislation. But in point of fact, the City has acted on the grant. It has entered into contracts with private individuals and associations, under which many wharves had been erected. As a compensation for their labor and expenses, it has contracted to allow them to receive the greater portion of the wharfage for a term of years. No clearer case of vested rights can be imagined. The adoption and execution of the plan proposed would at once deprive the City, and those who have contracted with it, of property of immense value. It would be a sacrifice of its and their rights and interests, which could not be justified on any legal or moral principle. It can scarcely be supposed that the contractors under the City, who have expended over a million of dollars upon their contracts, would surrender their claims without a

struggle. They would look to the City to save them harmless. A long and expensive litigation would doubtless ensue. The City on its part would find the Courts of Justice closed upon it, if it should desire to proceed against the State, because the State cannot be sued. If the Courts should decide that the City was not legally liable to the contractors, the same obstacle would prevent the enforcement of their claims against the State, and in any view of the case such a controversy would necessarily result, either in the ruin of the contractors of the bankruptcy of the City. No City in the world has suffered as much from the uncertainty of titles as San Francisco. It has been cradled in strife and has struggled through litigation from the day of birth. If the plans now before your honorable bodies should be adopted, a new field would at once be opened at a point where it was hoped all difficulties had been settled. The purchasers under the State, beyond the present water front, would at once see that their title was at least doubtful, and could not secure the benefits of their purchase without a protracted struggle. The value of the property would be calculated in reference to this consideration, and it is the firm belief of your remonstrants, that the amount received by the State from the sale of property beyond the present water front, would not equal the damages sustained by present holders within its limits. Another consideration which your remonstrants desire to submit to your honorable bodies, is the probability of injury to the Harbor from the proposed extension. San Francisco is the commercial City, not only of this State, but of the Pacific. Any injury to this Harbor, and any obstruction to its navigation, would involve most serious results to the interests and commerce of the whole State. Any extension of the water front which could possibly have such an effect would be disastrous in the extreme, not only to this City, but to the entire State. It is clear that no necessity of commerce or business demands the proposed extension; that the present accommodations for vessels of all classes are amply sufficient, and that the only reason urged on behalf of this measure, is, that the State stands in need of revenue. Your Honorable bodies cannot doubt that any temporary increase of the State revenue from an act seriously injurious to the Harbor of San Francisco would be followed by a permanent diminution. In common with a large majority of our fellow citizens best capable of judging, we believe that the extension of the water front would expose the shipping of this port to great and unnecessary dangers and exercise a most disastrous influence upon the commerce of this port. We are aware that some others are of a different opinion, but even if the opinions of persons competent to judge are

equally divided, surely it would be in the highest degree inexpedient to run the risk of irreparably injuring the prosperity of the State and City by adopting a measure which might, and in the opinion of at least one-half of the community, would result in an incurable mischief.

If you extend the front of the City and thereby injure the harbor, render commerce insecure, subject the magnificent ships which have hitherto entered and remained here in perfect safety to perils heretofore unknown, and thus create a prejudice against this port which it would not be easy to remove, you will do a mischief which the legislation of half a century cannot repair, and sacrifice the permanent interests of the State to a mere consideration of temporary expediency. We do not—we cannot believe that such a suicidal course will be pursued. Casting aside all minor considerations, we appeal to you as the guardians of the State—as those entrusted with its best and highest interests, to leave its character untarnished by any act which would bring its faith in question, to sustain its honor and the great constitutional rights which it is now sought to overwhelm, to secure the property you have already granted, to put down the spirit of reckless speculation, which, striving for profit, would strike down right, and to declare at once and forever that a contract made and a stipulation entered into by the State of California, will be faithfully, carefully, and honestly preserved.

C. K. GARRISON, Mayor.
JNO. D. BROWER,
JAMES VAN NESS,

Com. from Board of Aldermen.

CHAS. H. CORSER,
GEO. O. ECKER,

Com. from Board of Assistants.

OFFICE OF THE CLERK OF COMMON COUNCIL, }
SAN FRANCISCO, May 2, 1854. }

JOINT RESOLUTION,

Appointing a Special Committee to proceed to Sacramento with a Memorial of the Common Council against the passage of the Bills to extend the City Front, now before that Body.

Resolved, That the Report of the Special Committee to whom was referred the Message of His Honor the Mayor, be received and adopted; and that a Special Committee of one member from each Board be appointed to convey the same to the Legislature; and that they have power to print two thousand copies of the same.

Passed the Common Council of San Francisco finally, May 2d, 1854, and Alderman John D. Brower and Assistant Alderman G. O. Ecker, appointed as such Committee.
ROBERT C. PAGE, Clerk Common Council.

CITY ENGINEER'S OFFICE, }
SAN FRANCISCO, May 22, 1854. }

To the Honorable the Common Council:

GENTLEMEN :—In the performance of the duties of my office, I conceive it to be incumbent upon me to notice a document lately published by your order, proposing extensive modifications of the present System of Grades as established by Ordinances Nos. 350 and 425 ; said document being signed by Messrs. Barnard, Arrowsmith and Hardie, a Committee selected to report upon the present System of Grades of the City.

I feel less reluctance in reviewing their Report, from the fact that the above named gentlemen appear to have taken their description of the subject entrusted to their supervision from a portion of the public press of this City, and have seen fit to characterise the established Grades of the streets as the "Hoadley Grades," rather than as the Official Grades—which they have been since the 29th of last August ;—endeavoring thereby to attach the "odium" of *adopting* a System of Grades which does not meet their *disinterested* approval, entirely upon myself.

I have no disposition to shrink from any responsibility which I may have incurred in this matter, but am ready and willing, on all proper occasions, to defend the accuracy, the propriety, as well as the beauty of the "Official Grades."

To show some of the liabilities to which the City would be subjected by the modifications proposed, to point out a few of the most glaring defects of their Report, and answer some of the objections to the established Grades, is the object of this communication.

For the better understanding of the subject, I will refer to the acts of the Common Council in 1850. In that year a Joint Resolution was adopted authorising the improvement of the streets under the supervision of the County Surveyor and the Street Commissioner. Under this authority profiles of Grades were drawn for Montgomery, Kearny, and the intervening streets, which, in the main features, were unobjectionable, and which, if they had been carried out, would at this time have required little or no alteration of those streets.

But other councils prevailed: a temporising policy was adopted—the grade of Sacramento and Jackson streets was reduced from three to five feet, and in some instances after buildings had been commenced. Many of the residents of the City at that time will remember the twist in Sacramento street, and the ridicule which was thrown upon the biased street. This temporising policy has been the bane of this City in other matters, as well as in street grades and improvements.

In the spring of 1853, public attention was drawn to the subject of establishing a permanent grade of the streets of the City, and the Common Council of that year advertised for proposals to do the field work and make the necessary drawings, and also to recommend a suitable grade for all the streets of the City within certain limits.

The contract was awarded to William P. Humphreys and myself. The contract required us to draw profiles, &c., of all the streets included between Larkin street on the west, Johnston street on the southwest, and the Water Front. We were allowed two months to complete our labors. We associated with us informally Mr. J. G. Hubbell, a practical Civil Engineer. The result of our labors was an entire unanimity upon the subject, which was in no degree the result of concession. In addition, we had the opinion of one of the most eminent Civil Engineers of this City, and his opinion coincided generally with our own. Our report upon the subject was adopted by the Common Council after nearly two months' deliberation.

Having recited enough of the previous history of Street Grades, I now propose to review some of the features of the Report before alluded to.

After quoting a portion of the Reports of Mr. Humphreys and myself, they say—"These are the sole principles which governed those Engineers in their task of establishing suitable, proper and permanent grades for the streets of the City of San Francisco." How do they know they were the "sole principles?" by what authority do they make such a sweeping assertion? Was it necessary to recite the whole of the rudiments of street engineering in that Report?

I trust to be able in this review to show that there were other and important principles which governed the action of the former Board of Engineers; principles which the last Board have entirely disregarded.

Before entering upon the discussion of the more important principles of Engineering as applied to Cities, I will endeavor to dispose of some of the propositions (principles I will not call them) contained in their Report.

After stating first, "We make no important changes in streets already graded on the 'Hoadley grade,'" they proceed. "Second, we preserve all the hills as near as possible to their very summits, causing the streets to pass over them with as little modification as is consistent with harmony in the mutual intersections. In carrying out this principle we have taken care to provide some few avenues across the hills with easy grades, Powell, Bush, &c., and have so arranged the streets that there is no location upon them which cannot be reached by some accessible avenue."

How reached on a street inaccessible? If an intervening portion of a street between crossings is inaccessible, how is the intervening four or five hundred feet to be reached? by sliding from the top or by ascending the proposed "steps for pedestrians," which will require to be five hundred feet in length in some instances. Have they calculated the danger of accidents on such proposed steps? Yet Telegraph Hill, surrounded by such places of access, is proposed as a "pleasure ground," a place of resort for nurses and children.

Again, they propose grades over the hills of one to five and a half, and even of one to four and a half, which they characterize as "accessible to light vehicles." Suppose such streets are barely accessible, have they calculated the danger of accidents ascending and descending with such vehicles? Will they please to state how much more than an *empty coach* a pair of good horses can haul up such a grade? Or will they inform the public what will prevent a coach from overturning if the animals, unable or refusing to proceed, should back the coach crossways on such a grade? Again, I find by their report, they propose one hundred and thirty-six feet above base as the crossing of Montgomery and Greenwich streets. This requires a cut of eleven feet on one side and a fill of twenty-two feet on the other. The surface of the hill is nearly a *natural slope*, or as steep as earth will retain its position. How do they propose to retain Montgomery street in its place?—doubtless by bolting it on to the side of Telegraph Hill.

Again, they propose to reduce the grade of streets near the base of Telegraph Hill from five to eighteen feet below the established grade, for what reason I am unable to determine, except it be that it will yield a few more "tons of ballast," and leave by the same process a longer "flight of steps" up the face of a bald rock of no earthly value, and of at least questionable beauty? At the same time they propose to raise the grades on the narrow strip of land known as Rincon Point, from twenty to forty and even fifty feet above the official grade at or near the beach, and where there would be a lack of material to make the

required filling according to the established grade. Why is this? Is it to render the filling in of water property at that place so expensive as to destroy its value for many years to come?—to make the approaches so steep as forever to debar it from becoming a commercial portion of the city? Would not the same policy that would recommend the reducing the grades at the base of Telegraph Hill, have the same effect at the base of Rincon Point?

But I turn from deep cuttings, high embankments, and steep grades to another portion of the subject. The propriety of street railroads has agitated the public mind for a few years past in the eastern cities, and it is now almost universally conceded that on the great thoroughfares where the grades will admit, they are cheaper, safer, more expeditious and agreeable modes of communication than any other. There are three avenues leading out of this City in the great line of travel, to wit: Market, Mission and Howard streets, which are eminently fitted for this purpose. The greatest objection to Market street was the grade between First and Third streets, being an ascent of one in fifty-five. But Market street was too level to suit the views of this Board of Engineers, and that too must be twisted over the sand hills to conform to Hogarth's line of grace, to the ascent, in one portion, of one to seventeen, nearly.

Again, it is well known to those who have visited Yerba Buena cemetery that a large number of the graves have been for some time under water. The effect of the proposed alterations in Market street, and the adjoining streets, would be to permanently retain such a pond through the wet season; besides the whole amount of the excavation is required in the immediate neighborhood, to wit: in the Mission street swamp. Doubtless many of the minor objections to their report arise from the very limited knowledge of the country to be obtained by the bare profile or strip level through the centre of the streets.

I have mentioned that two months were allowed the first Board of Engineers to complete their labors. To a stranger to the location, that length of time would have been very limited. To me it was amply sufficient, having been conversant with the entire area for nearly four years, and for a large portion of the time daily traversing the same, so that when the profile of any street was before me, I knew at a glance the relative position of the surrounding country, without the necessity of a personal inspection of the ground.

There is another branch of their Report which belongs most appropriately to poetical Engineering. Rome, with its "seven hills," is brought in to play a part, but the poetry is destroyed when it is known that since the days of the Emperor Augustus,

but one of the seven hills remain, six having been graded and a system of sewers constructed, some of which still remain in good preservation. The one hill of Rome is but forty feet high above the surrounding country, or one-eighth the height of Clay street hill at the Official Grade. "‘Genoa la Superba,’ where the buildings rise gradually from the water to a great height, so that nearly every house is visible from the Bay,”—such will also be San Francisco at the Official Grade, and not as Nature left it, with a few inaccessible points covering the entire view for two or three times the amount of territory in the rear.

There is no monotony either in the established Grades, except the ascent is fixed one to eight and one-fourth in ascending the hills; the Grades varying between that and level, according to the surface of the ground.

If Genoa acquired the title of La Superba, in several centuries, San Francisco will be La Superbissima in the half a one.

“But Pisa, a fourth-rate city, has the more questionable advantage of flatness.” If six hundred and forty feet ascent in a mile is to be considered as flatness, I ask in all conscience what is requisite to constitute a hill?

Edinburgh, too, a fourth or fifth rate commercial city of the old world, is a model for the formation of San Francisco—destined as it is, to be the metropolis of the western slope of this Continent—Edinburgh! which is described by a late traveller, as “A City where the smoke of your neighbor’s chimney comes in at the parlor window, and the slops of the kitchen go down your neighbor’s chimney.”

The Report in question is equally unfortunate in allusion to American cities. Boston, formerly called Tremont, from its three hills—none of them exceeding one-third the height of the hills of this City, even at the Official Grade: Fort Hill, once the “Court end of the town,” is so no longer; splendid edifices, once the abodes of the wealthy, are now occupied by the laboring population at half-rent, half paid; and it is now in contemplation to cut down Fort Hill. New York, and Brooklyn Heights must yield to the point of utility. Philadelphia and Baltimore have been or are in process of grading. Cincinnati, the Queen of the West, which in formation of hills very much resembles San Francisco, has been and is in process of grading, requiring fillings of over forty feet, and excavations of one hundred feet, involving the destruction of whole blocks of brick buildings.

If such acts have been found necessary for a City on a navigable river two thousand miles in the interior, what is to prevent the like results in San Francisco?—the *Seaport of the Pacific*

slope of this Continent—destined, when the great inter-oceanic Railroad shall be constructed, to outstrip all other Cities in the speed of its growth, as it will rival them in the beauty of its location.

But I have already swelled this communication beyond the intended limits without touching upon the real questions of interest and utility involving the true principles of *Civil Engineering*.

The report in question objects to the adoption of "extreme high tide," and substitutes "*mean high tide*" as an index to judge of a certain arbitrary base line. Does a citizen of San Francisco propose to erect a building on the commercial section, what is to him the most interesting question on that subject? Is it the height of "mean tide," or does he require to know the point of comparative safety, the highest probable tide?

"But no monuments have been erected to designate the grade!" Would they require the erection of monuments of stone at the street crossings with the elevations *chiseled* upon them when numerous brick and stone buildings are furnished to hand? Stone fenders at the street corners afford another object of reference.

Oh! their elevation is known only to the Engineers. To obviate this objection I will now certify officially, that the elevation of the top of the stone fender at the northeast corner of Kearny and Merchant streets, front of the Union, is 30,888 feet above the official base. The cutting down of the hills will "subject the City to an inundation of sand," and terrible calamities might befall "the shipping" from the increased force of the sea breeze.

Such arguments are not worthy of a serious consideration.

I come now to speak of the most important principles, in truth, the great principle which should have a controlling influence in determining the whole question of street grades, a principle, which although not explicitly expressed in the reports of the first Board of Engineers, I trust to be able to show was not entirely lost sight of. The true point of economy in scientific *civil engineering*, where the circumstances will admit of it, is to make the excavation equal to the embankment. The practical demonstration of exact equality in the peculiar circumstances of this case is impossible, or at least would involve an unwarrantable expense, but an approximate estimate near enough for all practicable purposes is easily obtained.

Upon referring to the official map of the City I find there are 672 fifty vara lots unfilled between the beach and the established water front of the City, fully equal with the intervening streets to 336 acres.* I estimate average fill of this section of twenty-

one foot, with streets to grade and lots above high tide; making eleven million three hundred and eighty-three thousand six hundred and eighty cubic yards of filling. I estimate the filling the valleys along the slopes of Russian and Clay street hills and North Beach, at one million sixty-four thousand eight hundred cubic yards. The portion of the City inside of the beach and south of Bush street, will very nearly grade itself, the excavation equalling the embankment. In a few years a sea wall will require to be constructed the entire water front of the City of almost five miles in length. Some portion of it is almost imperatively demanded at this moment. This I estimate will require two million four hundred and sixty-four thousand cubic yards of rock. Another item will be the eventual construction of a break-water from the north end of Russian Hill, in the direction of Hyde or Larkin streets, as a protection to North Beach from the west winds and swell of the ocean. Such a work would be a legitimate object of construction by the U. S. Government; the materials would be very naturally obtained from the neighboring hill, say 500,000 cubic yards. To sum up filling required, I estimate nearly fifteen and a half millions of yards. Does any one doubt it will be required? No citizen of four or five years' residence can doubt it. It is only a question of time, and what a few years will most assuredly accomplish. How is the material to be obtained—by retaining the "inaccessible" hills within the City limits, compelling the owners of water property to obtain material for filling from the interior by long hauling, or from the opposite side of the bay by boats?

On pages 13 and 14 of their report occurs the following passage—"Although the amount of cutting and filling required by our system of grading is probably not one hundredth part of that required by the present," &c.

For the truth of this assertion I refer to the profiles on which the proposed modifications have been drawn, and as near as I can judge, the amount of excavation has been reduced eighty per cent. The embankment has been reduced in the deep valleys and foot slopes of the steep hills in the neighborhood of the excavation, while in every instance where modifications have been proposed along the water front, the grades are raised, requiring in the aggregate a largely increased amount of filling over the established grade.

I will now examine into the important consideration of where the fifteen and a half millions of yards of material is to be obtained. The hills west of the City, and Telegraph Hill, must furnish the great mass; for, as stated before, the remainder of the City will barely grade itself. I make the amount of exca-

vation of streets and lots to the established grade on the hills west of the City, eight millions six hundred and seventy-three thousand two hundred and eighty cubic yards; and on Telegraph Hill, to the same depth, nine millions four hundred and eight thousand two hundred and forty cubic yards. Total excavation, eighteen millions eighty-two thousand two hundred and forty cubic yards—making in round numbers, two and a half millions of surplus, or seven to eight millions tons of ballast—probably ten, perhaps twenty years' supply. But I trust I have said enough to convince your honorable body that the Report in question is founded in no principles of scientific *Civil Engineering*; that it is incorrect in its assertions; (that it is imperfect in its details, I refer you to the profiles); and that it is not in accordance with any scientific teachings, or works on the subject, I refer you to the various authorities, the best of which, perhaps, and one of the most modern, is entitled "*Roads and Railroads*," by William M. Gillespie, Professor of *Civil Engineering* in Union College.

The establishment of permanent grades, is a very different matter from their application. The first act is the law, the second is its execution.

The law in this respect should be based on scientific principles—certainty is worth millions, while continued alterations are ruinous to property holders, and subversive of the best interests of the City. The time of execution may be half a century—as the material is required to fill in the Bay, the hills are relieved of their inequalities, rendering the one beautiful, and both useful.

With regard to the payment for Street Improvements, etc., the Charter provides the mode of making assessments. But as I have already extended this communication beyond the intended limits, I may make that and the question of damages by the proposed modifications, where buildings have been erected to the Official Grade, the subject of another communication.

Trusting that your honorable body will receive this communication in the same spirit that dictated it, viz: a sincere desire to advance the best interests of the great and growing City of San Francisco, I remain yours and the public's obedient servant.

MILO HOADLEY, *City Engineer*.

OFFICE CLERK COMMON COUNCIL,
San Francisco, May 23, 1854. }

In Joint Convention of the Common Council of the City of San Francisco, May 22d, 1854,

Read, and on motion, the Clerk instructed to have 2000 copies printed, in pamphlet form, for general circulation.
ROBERT C. PAGE, *Clerk*.

San Francisco. Citizens

PROCEEDINGS OF THE MEETING

OF THE

MECHANICS, MERCHANTS. TRADERS,
BANKERS, &c.

OF THE

CITY AND COUNTY OF SAN FRANCISCO,

CONVENED AT THE MERCHANTS' EXCHANGE, JANUARY 9, 1854,

IN

OPPOSITION TO THE LICENSE LAW.

San Francisco:
CALIFORNIA COURIER PRINT.
1854.

PROCEEDINGS OF THE MEETING
OF
MECHANICS, MERCHANTS, TRADERS,
BANKERS, ETC.

IN
OPPOSITION TO THE LICENSE LAW.

Pursuant to a call issued and subscribed by a Committee of the most influential citizens in the city, a meeting was held last night at the Merchants' Exchange, for the purpose of expressing the public sentiment upon the decision recently rendered in the Supreme Court, sustaining the validity of the Revenue Act of 1853. At the appointed hour the Exchange was crowded; and it was perhaps one of the most influential meetings ever held in this city.

Mr. George N. Shaw called the meeting to order, and said that in order to transact the important business before them, the first step necessary to be taken would be to appoint a President. With the permission of the meeting he would nominate for

President—Mr. Alfred De Witt. Mr. De Witt having been unanimously elected, came forward and took the Chair.

The following named gentlemen were appointed Vice Presidents and Secretaries of the meeting:

Vice Presidents—John Middleton, H. Meiggs, T. A. Hussey, J. Sime, T. C. Sandford, B. B. Truett, James Donahue, H. Haight, James Phelan,

James F. Osgood, T. J. S. Smiley, G. B. Post, F. W. Macondray, George K. Gluyas, G. W. P. Bissell, G. Scribner, E. P. Flint, B. Hayward, E. W. Burr, B. Davidson, J. F. Hutton, Wm. Arrington.

Secretaries—Henry M. Hale, G. Lewis Cooke, R. E. Brewster.

The Chairman then read the call of the meeting, and afterwards said :—
“The Committee appointed to draft resolutions and a petition to the Legislature, are now ready to report. Is it your pleasure that they be read?”

A response in the affirmative having been given, Mr. H. M. Hale said :
Being the Secretary of a Committee appointed by a preliminary meeting, to draft a series of resolutions to present to a general meeting, and also to prepare a petition to be presented to the Legislature, having for its object the repeal of the law in question, I would say that your Committee have been impressed with the responsibility of their position, as far as possible to embody the views of the community, and trust that we have elucidated them in the resolutions and petitions that will be presented for your acceptance. We have been impressed with the importance of our position, in representing the citizens of San Francisco in objecting to a law of the State. We regard it and consider it, so far, a very grave measure. We believe that to object to any law of the State is a measure which should not be adopted without grave deliberation, and upon urgent necessity. We believe that urgent necessity exists at the present moment. We are desirous that no action be taken but that which may properly come from law-abiding citizens. We hope that the objects of the meeting will not be misunderstood. They have been misrepresented. Fully confident of our integrity, we do not wish to resist the law while any method exists of which we can avail ourselves, to obtain the repeal of this law, obnoxious to the liberties and rights of the citizen as guaranteed him by the Constitution, either of this State or the General Government. With these few preliminary remarks, I will proceed to read the resolutions which have been drawn up for the purpose of being submitted for your approval, and I trust that they will be adopted :

WHEREAS, It has been recently decided by the Supreme Court that the Revenue Act of the last session is not in violation either of the Constitution of this State or of the United States : but, on the contrary, is a valid and constitutional law. And, whereas, though not convinced by the reasoning of the Court that its judgment is correct, we shall nevertheless pay all proper respect to its decision. And, whereas, the law in question, though it were conceded to be constitutional, is, in our opinion, flagrantly oppressive and unjust, and ought to be repealed. Therefore we do resolve

First. That whilst we shall observe all proper respect towards the Supreme Court, and though we are not lawyers, and do not profess to understand all the nice and subtle distinctions sometimes found in legal decisions, yet the opinion recently delivered by the Supreme Court concerning the late Revenue Law, has wholly failed to convince us that the said Act is not a gross violation of the Constitution both of this State and of the United States.

Second. That whether it be constitutional or not, it is a disgrace to the statute book of the State, and ought to be immediately repealed.

Third. That the Counsel employed by the former Committee to argue the constitutionality of the license law and tax upon consigned goods, before the Supreme Court of this State be requested to move for a re-hearing before a full bench of said Court.

Fourth. That we will never submit to this most oppressive law, until we shall have exhausted all lawful and proper methods of redress; and to that end, our Counsel are hereby instructed to prosecute appeals to the Supreme Court of the United States in such of the cases recently decided, as can be lawfully taken to that Court.

Fifth. That a memorial to the Legislature, setting forth our grievances, and praying for the immediate repeal of said Act, be prepared and circulated for signatures without delay, and that the people in every part of the State, be, and they are hereby earnestly solicited to unite with us in a vigorous effort to procure the repeal of said Act.

Sixth. That the officers of this meeting be requested to wait upon the Collector of Taxes, and the County Auditor, and on behalf of this meeting, and those they represent, respectfully request that no steps be taken for the enforcement of said law, until an opportunity is afforded to seek redress from the Legislature.

Resolved, That our Senators and Representatives in the Legislature of the State are earnestly requested to use every exertion and proper influence in their power to effect the repeal of the law entitled "An Act to provide for the support of the Government of the State," approved May 18, 1853.

Resolved, That a Committee of five (5) be appointed by the Chair to obtain signatures to the petition to the Legislature of the State as read to the meeting.

Resolved, That a Committee of five (5) be appointed by the Chair to present the above petition, when signed, to the Legislature of the State, and to use every honorable exertion and influence to effect the repeal of this obnoxious law.

Resolved, That a Committee of seven (7) be appointed to solicit subscriptions from the merchants, traders, mechanics and citizens of the city, for the purpose of defraying the necessary expenses of procuring a repeal of the above law.

Resolved, That each Committee, as above appointed, shall have power to fill any vacancies that may occur in the same.

Respectfully submitted by your Committee.

G. W. P. BISSELL,
F. C. SANFORD,
JAMES DOWS,
HENRY M. HALE,
GEO. N. SHAW,
C. L. CASE,
ALFRED DEWITT.

Mr. Hale continued : It may be advisable to read the petition which has been drawn up, that the two may be considered in immediate connection in any action that may be taken. With your permission I will read the petition :

To the Honorable the Legislature of the State of California :

Your memorialists, citizens of the county of —, in the State of California, respectfully represent, that they, in common, as they believe, with a majority of the people of this State, have just reason to complain of the oppressive, unequal, and manifestly unjust provisions of an Act entitled "An act to provide revenue for the support of the Government of this State," approved May 18th, 1853 : and in order that their grievances may be made apparent to your Honorable body, they beg leave, respectfully, but earnestly, to call your attention to some of the provisions of this bill, and to the considerations, which, in their opinion, demand its immediate repeal.

Whilst your memorialists, without reserve, concede to the Legislature, the most ample power to levy taxes for the support of the Government, and whilst, with the utmost cheerfulness, they will, at all times, contribute their just proportions towards the burden of the State, yet they beg leave respectfully to submit that, in the imposition of taxes, there are certain cardinal principles to be observed, without which, taxation ceases to be only a just and necessary exaction, and becomes an enormous and intolerable oppression, alike injurious to the public welfare and onerous to the individual citizen. In despotic governments taxes are exacted at the will of the sovereign, often capriciously exercised for the accomplishment of the worst ends, and in the most oppressive modes. But it is a cardinal feature of all well-ordered republics, that taxes shall be imposed only to such extents as the public necessities require, and in such manner as to render them most uniform in their operation, and the least onerous to the people. Of all the functions of government, it is to be the most cautiously exercised, because it is liable to the greatest abuses ; and that it should be as uniform as possible in its practical operation, is a proposition which no one will deny who professes to respect the theory of republican government, or places the slightest value upon democratic institutions. We propose, therefore, briefly to inquire whether or not the act in question conforms to this theory, or, on the contrary, is directly at war with it, is unequal, partial, flagrantly unjust, and in conflict with the spirit, if not the very letter, of the Constitution, both of the State and of the United States. So far as relates to that portion of the act which provides for an *ad valorem* property tax, we have no complaint to make. Recognizing this as the only just mode of taxation, we will cheerfully acquiesce in any rate of assessment which the Legislature in its wisdom shall deem necessary for the public good. But we do most earnestly protest against those provisions of the act which seem to tax most onerously the honest occupations and pursuits whereby we earn with our industry a livelihood for ourselves and families. One of the highest and noblest duties of a wise government, and particularly of a republican government, is to foster and encourage honest industry and enterprise in every branch of human pursuit. In no just sense, can a people be said to be free or prosperous who dare not follow an honest, meritorious calling, until they had first supplicated from the tax-

gather the right to do so. All we ask is to be permitted to follow honorable avocations without being subjected to the degradation of paying for the privilege. Under some of the rotten dynasties of Europe, the people received as a boon from the government the right to breathe the air or enjoy the light of Heaven. But in democratic, republican America, the right to tax is voluntarily ceded to the people only for the public good, and can be rightfully exercised only so far as it subserves that end. But if it may be so used as to impose the whole burdens of the State upon a particular class of citizens, to cripple trade, embarrass industry, and prohibit honest, laudable pursuits, under pains and penalties, it is easy to perceive, that in the matter of taxation, we are very little in advance of European despotisms. We hold, therefore, that a tax upon an honorable, laudable occupation, is wrong in principle, dangerous in practice, necessarily unequal and partial in its operation, liable to the grossest abuses, and wholly anti-republican in its tendencies. No tax of this character can be consistent with the liberal tone of our institutions or the enlightened spirit of the age. Nor is it less unwise in its policy than it is unjust in principle. Every consideration that can address itself to our interests as a people, demands that we should invite enterprise and industry to our shores. We should encourage the honest artisan, the thrifty trader, the industrious manufacturer, the enterprising merchant, and the hardy miner, to take up his residence among us. We should the rather offer him a bounty for coming, than tax him onerously for the mere privilege of earning a livelihood by his calling after he has arrived. But so far are we from doing this, that we do not hesitate to avow it as our deliberate opinion that if the law is enforced, a large number of our best citizens will be compelled to abandon their occupations, and seek homes in other lands, where such oppressive enactments do not exist. That we not be accused of exaggerating the evils and hardships resulting from this statute, we proposed to examine a few of its details and inquire into its practical operation.

In the first place it imposes an *ad valorem* tax of sixty cents to the hundred dollars upon all real and personal property, shares of stock in steamboats, ships, or other water craft, money loaned at interest, or employed in trade, commerce or navigation, bank or insurance stock, and, in short, all property, real and personal, with a few unimportant exceptions. Of this provision we have nothing to say. The principle on which the tax is assessed is proper, and we submit the amount of the tax to the wisdom of the Legislature. Secondly: it exacts from all bankers, dealers in exchange, etc., a tax of "ten cents upon each one hundred dollars of business estimated to be transacted" by them. From the best information we have been enabled to obtain, if this provision is enforced according to the fair interpretation of its meaning, it would close the doors of every banker and exchange dealer in the State. We are assured that one of the largest of our banking houses at San Francisco would be compelled to pay annually not less than a half million of dollars, under this law, for the privilege of following their occupation, whilst upon another large house the tax would amount to about two hundred thousand dollars annually. So monstrous an oppression could not, and, of course, would not be submitted to. They would close their doors and select some other theatre for their transactions. Thirdly, it exacts as an occupation tax, large sums from all persons "who may deal in goods, wares and merchandise, wines or distilled liquors, except the agricultural productions

of this State, when vended by the producers thereof." By its very terms it embraces "every person who shall sell or vend any goods, wares or merchandise, or butchers' meat, wines and distilled liquors, drugs or medicines, all jewellers, and persons who keep horses or carriages for rent or hire." These terms are broad enough, and doubtless were designed to embrace every person whose vocation it is to buy or sell *any* species of merchandise, of whatsoever nature. The honest mechanic who, after a long and dangerous voyage, finds himself with scanty means, a stranger upon our shores, before he opens his little shop for the sale of his manufactures must first look up the Tax Collector, and pay a considerable sum to the State for its gracious permission to follow his laborious calling. Whether he be a shoemaker, blacksmith, cooper, tailor, baker, or any other honest artizan, he dare not stick up his humble sign until he has first complied with the inexorable law, and obtained his permit from the Tax Collector. The butcher who sells us the meat on which we subsist in health, and the druggist who compounds the pills to relieve us of sickness, are only allowed to do so when "thereunto lawfully authorised," under the sign manual of that important personage the Tax Collector; and if he should be so unfortunate as to die under the operation of the druggists' pills, the Undertaker who conveys him to the grave must first take care that he has the tax gatherer's license in his pocket. Nor is it at all certain that the hardy miner, who digs his treasures from the earth and sells them to a banker at San Francisco or Sacramento, is not required by this unjust law to pay the State for the privilege of enriching it by his labor. The history of taxation in the United States affords no parallel to a system so monstrously oppressive as this, and so palpably at variance with the true policy of the State. Fourthly. This extraordinary law exacts from all auctioneers, as a price for the privilege of following their vocation, a license tax of two hundred and fifty dollars per quarter, provided the city in which they do business contains ten thousand inhabitants, and if it contains a less number, then one hundred dollars per quarter; and in addition to these sums a duty of one per cent. upon the amount of all property struck off by them, whether it be actually sold or not. This is an effort not only to tax an honest pursuit most onerously, but to graduate the tax according to locality—to tax one man more and another less, because they happen to do business at different places. How this can be done when the Constitution of the State in so many words declares that "taxation shall be equal and uniform throughout the State," your memorialists confess, quite passeth their comprehension, notwithstanding a recent decision to that effect by the Supreme Court of this State. From the best information we have been able to obtain, this tax, enforced, would amount, in the city of San Francisco alone, to the enormous sum of \$125,000 annually, upon the sale of personal property, saying nothing of real estate; a pretty round sum, it must be confessed, to be paid by the lawful owners of property for the privilege of selling it—a privilege which would seem to be inherent in the very nature of property itself, and inseparable from its ownership.

Fifthly. The act defines what shall constitute consigned goods, to wit—all goods as property brought or received within this State from any other State or from any foreign country, to be sold in this State, owned by any person or persons not domiciled in this State: and then proceeds to impose upon the sale of such goods a tax at the rate of sixty cents

upon each one hundred dollars of said sales. Upon this provision, your memorialists would remark, 1st, That if not in terms, it is practically a duty on imports, and is therefore prohibited by the Constitution of the United States. Disguise it as we may, the fact is too palpable to be denied, that it is a tax upon the article because of its importation; and if this be not in every just sense an import duty, we are ignorant of the meaning of the term. No State has the right, under the Constitution of the United States, to levy such duty; and under the old articles of confederation, it was the exercise of this very power by the States, which more than any other cause, led to the adoption of the present Constitution. We trust that California, the youngest sister of the Confederacy, is not to be the first to trample under foot this important constitutional provision. But that your Honorable Body may see how enormously oppressive this tax would prove in its results, we have taken some pains to ascertain the amount of such goods annually imported into this State, and have adopted as the basis of our estimate the transactions of the year 1853.

We find that the shipments of Treasure by Steamers, for the year amount to about	\$54,900,000
Deduct remittances on account of Miners, and for others—	
not the proceeds of merchandise	15,000,000
Remitted for sale of merchandise	\$39,900,000
In addition to this, there was remitted,	
To New South Wales (about)	75,000
To Sandwich Islands	286,000
To Manilla	170,000
To China	1,150,000
To Calcutta	36,000
To Valparaiso and other South American Ports	450,000
Exports of Quicksilver	720,000
Add foreign credits used for investment	10,000,000
Estimated, with remittances for sales of merchandise	\$52,787,000
Add estimated expenses on consigned goods, reserved, commissions, storage	7,900,000
	\$60,687,000
Deduct one-quarter for imported goods, which do not come under the denomination of "consigned goods," say	15,000,000
Total sales of consigned goods	\$45,687,000

At sixty cents on the hundred dollars, the tax upon these sales would amount to the sum of \$274,122. But this estimate does not embrace importations from Oregon and other minor points; and including these, we think the tax may be fairly estimated at \$300,000 annually—a sum equal to the ordinary revenue of perhaps a majority of the States of the Union. But it may be said it is practically a tax upon the foreign owner of the merchandise and not upon the commission merchant who sells it in California. This argument would prove too much, because it establishes that it is an

import tax and not an occupation tax, and is, therefore, unconstitutional. The argument, therefore, is reduced to this, to wit: that it is either an unconstitutional and void law, or, if it be an occupation tax to be paid by the consignee, it is a most onerous, unjust and oppressive imposition.

We may safely assert the proposition, that property ought to be taxed for revenue but once in the same year. But under the operation of this act, it may be taxed a dozen times. It is taxed first in the hands of the consignee, who receives it for sale. If afterwards sold or offered for sale at auction, it is taxed as often as it is offered, in the hands of the auctioneer; if sold to a merchant, and again sold by him, he pays a tax for the privilege of selling it: and this process is repeated as often as it is sold and re-sold for sale; and finally, it pays the ordinary *ad valorem* tax in the hands of the consumer. A system so manifestly oppressive, so abounding in incongruities—so replete with inherent vices—so deficient in every thing approximating equality and uniformity—so anti-republican in its main features—cannot but receive from your honorable body the condemnation it so richly merits.

During the recess of the Legislature, an effort was made to enforce the law; and having for the time being, no other mode of redress, we sought it from the Courts, relying upon the express declaration of the Constitution, that "taxation shall be equal and uniform throughout the State." We knew this law to be neither equal nor uniform, and we thought the Constitution meant what it plainly said. But from a recent decision of the Supreme Court, it appears we were mistaken; and that though the framers of the Constitution were careful to provide for equality and uniformity in relation to a property tax, yet they have omitted to impose any restrictions whatever in relation to a far more obnoxious mode of taxation, to wit: a tax upon honest and laudable occupation. We are reluctant to impute so grand an omission to the framers of that instrument; but our respect for the Supreme Court compels us to defer to its judgment; and that tribunal having decided that the taxing power of the Legislature is fettered by no constitutional limitations, except in relation to a property tax, we are bound to conclude that we did more than justice to the framers of the Constitution, in supposing that they designed, in that solemn instrument, to protect the people against other more oppressive and grievous modes of taxation.

But we appeal with confidence to your honorable body for relief; not doubting, that upon due consideration, you will concur with us in the opinion that the obnoxious law in question should be erased from the Statute book.

Chairman—Gentlemen, what is your pleasure with regard to the resolutions?

Col. J. B. Crocket was then introduced to the meeting and said: Gentlemen, I scarcely know what I am expected to address you about this evening. We have all received the melancholy information that the Supreme Court as far as it had the power to do it, has decided this question against us. We have done in behalf of those whom we had the honor to represent—my associate counsel and myself—everything that could be done—all that our abilities permitted, to procure a different decision. The Supreme Court, however, to our surprise, decided against us. We all know, that whilst the Con-

stitution of California contains some restrictions on the Legislature, it prohibits them from taxing our property except on an equal and uniform basis, yet the Supreme Court has given an interpretation to that instrument which renders that provision of little or no value, for though they did not tax property on an unequal basis, yet, under the decision of the Supreme Court, they tax our occupation, and, instead of taxing your land, horses, and merchandise, they only say that they tax us when we take the privilege of owning land, and selling merchandise in a fair and honest vocation. They have made this taxation a thousand times more oppressive and more obnoxious than ever any tax on property could be. My opinion is, that the provisions of this law are not comprehended by the mass of the people throughout the State of California. If this decision be sustained, the people—the mechanic, every man who follows an honest avocation by which he manufactures articles for sale, will not dare to follow that vocation any more without receiving his permission from them. If such were the case, I believe that a storm would be raised which would sweep away all those who would dare to defend such an obnoxious measure. I believed that the Supreme Court decided in a manner wholly unauthorized, and to be honest, I believe so now. I believe that the Constitution does prohibit that kind of taxation. I believe that the Legislature has not the power to tax one man in San Francisco one hundred dollars and another man in Contra Costa five dollars for following the same avocation. But the Supreme Court says that there is no limitation except in the case of property. They say that they cannot tax property in San Francisco more than they can tax it anywhere else, but we can tax occupation here, and differently in Benicia and Sacramento. I say that according to the decision of the Supreme Court, they can tax every occupation in which a man may engage. They can levy a capitation tax. They can levy what you understand better, a poll-tax; and if they do not choose to tax property, having no such power by the Constitution, they can levy a “poll-tax,” and in this discriminate as odiously as they please. They can tax a man for the privilege of wearing his hat in San Francisco one thousand dollars. They can tax another man only across the bay, ten cents; another man fifty dollars, and another ten thousand dollars. That is the argument, as far as the decision in the Supreme Court goes, if it means anything. In other words, they hold that the Constitution puts no restrictions in the way of taxation, except the property tax. I do not believe that the Constitution means that. I did not then believe, and I never shall believe it.

But, gentlemen, so long as they adhere to that decision, there is no remedy in the Courts of the State. There is no question which arises in this case which will enable us to take it to the Supreme Court of the United States, except that provision of the law which relates to the consignment of goods. I believe that that provision directly infringes upon the Constitution of the United States, and the Supreme Court of the United States is the proper tribunal to settle that question. I say there is no other question, however, in law which will enable us to take it to that Court, but that one question. So far as the iniquitous provision is concerned, I believe it is as plain as the sun shining at noon day—it is plain that the provision is illegal, for it is nothing but an import tax. It is a tax on articles, because they were imported, which is, I believe, in direct conflict with the Constitution of the United States, and can be so

demonstrated. I trust that the resolutions read here to night, requiring that the question be taken to the Supreme Court of the United States, in order that we may have the decision of that tribunal on that important feature of the case, will be passed, because if the State of California can tax every thing that comes from the sister States, from abroad, or from foreign countries, it had better establish at once its custom houses, tax the commission merchant, exact from him and compel him to look to his consignors for the means of reimbursement. That provision of the act is a palpable infringement of that important provision of the Constitution. Why, this very thing was the principal cause of the formation of the present Constitution, as every man versed in history knows. It was the exercise of just such a power as this that led to all the early embarrassments between the States. One State taxed the products of a neighboring State, and that State retaliated by taxing still higher the products of the other. Consequently, the Constitution forbids that any import—export tax, I mean, should be levied. Now, we export nothing but gold which the people of almost every State desire to receive, without taxing, I guess. I reckon that New York, New Orleans, or any of the other large cities to which we have been sending gold, would not be apt to levy an importation tax on that; but if we were exporting our products to Oregon, and taking her lumber in return—under these circumstances she would be compelled to tax our imports. Under such a system as that, were produced the bickerings and heart burnings between the States, which had nearly broken up the Confederation. Our Legislature thought to avoid this in that provision, and they don't tax the thing—they don't tax imported goods—but they tax the man who exercises the privilege of selling them; and they tax him in proportion to the amount of goods he sells; and they take the money out of his hand which was the proceeds of the sale. Well, if that be not a tax on the article—if that is not a tax on the article itself, I don't know what a tax means. I say, therefore, gentlemen, for it is not worth while to detain you here to discuss the more general propositions, that as far as I am concerned, I still believe this act to be in violation of the Constitution of the State, because it guarantees that the Legislature shall no more impose an unequal tax on occupation than on property. I say that it is in violation of the Constitution of the United States, for the reasons that I have stated, and hope that every step will be taken necessary to obtain the decision of the Supreme Court on that point. The Supreme Court here has decided the question so far as they have the power.

There is a probability that they may deliberate over it, and still may be induced to reconsider their past decision, and may listen again to the arguments which we may bring forward, though I don't know of any arguments that we can adduce, for everything that our abilities permitted us to do, we have already done in the hearing of the Court both in argument and printed brief. Whether they will reconsider or not I don't know, but we propose to make the effort, in order that they may have an opportunity to reverse the action they have already taken. In the meantime, gentlemen, the course the Committee recommends is the proper one. We have made a fruitless effort to obtain redress for the evil we complain of. That effort has failed and now there is no remedy left but to make a strong and vigorous appeal to the Legislature, submit to the tax, or resist the law by

force. The course recommended by the Committee is the proper course. I think if the facts could be made known, the people would be made fully to appreciate it. It is not a thing confined to the merchant, but the mechanic, the working man, and every man of every calling which renders it necessary to sell articles either of their own manufacture or of other people, will be made to feel the tax; and then they will become fully aroused to the importance of the principle involved. It would strike at the liberty of every man; and I believe that under such circumstances the popular sentiment would be embodied in such an overwhelming torrent, that the Legislature would not dare to refuse to repeal it. The cause is one of right, and has for its foundation justice and sound judgment, and addresses itself at once to every man of sense.

But, gentlemen, this is your only hope of redress. In my opinion, if the Legislature will refuse to repeal this law, the only remedy is to submit to it, till you send other and better men there to repeal it for you. If they refuse to repeal this law, notwithstanding all the information that has been presented before the people, and the efforts that have been made, the merchant, the mechanic, the laborer, and every body, have only to be determined, and this iniquitous and unjust system cannot stand long. Let the public sentiment be once aroused from one extremity of California to the other—from the Oregon line to San Diego—and from the bay of San Francisco to the Sierra Nevada, and a burst of the popular indignation will sweep every man from his post that refused to repeal this law. (Applause.) It is not for me, fellow-citizens, in case all our efforts should prove unavailing, which I believe will not, to counsel what you should do. As a general thing, I may be permitted to say that it is only in the most extreme cases that it is right to resort to violence. For the preservation of life from the ruthless grasp of the assassin or the robber, then perhaps it is just to resort to the last extremity. I hope there is no such emergency here. It is better to sustain a great deal of wrong—it is better to endure an iniquitous act like this than to set at defiance the lawfully constituted authorities of the country, however wrong they may be. I don't anticipate any emergency like this. It is not for me to say what your conduct should be in such a case. All I have to say is that so far as I am concerned, I exerted myself honestly and laboriously to obtain a decision adverse to the one that has been rendered, and to regret that our efforts met with so little success. (Applause.)

Col. Baker was then introduced to the meeting and said: Fellow Citizens—I was thinking, when I heard my friend Crockett making a rather mournful apology for our defeat, of what a great King once said after losing a great battle. I believe it was Francis II, who, when writing to his mother after a great defeat, said, "Madam, we have lost every thing but our honor." I want to say that we have lost everything in this case but our honor, and I am sorry for it. I remember when I last addressed you, I addressed you with a strong confidence and hope in the ultimate decision of the question, and I am free to say now, that neither success or defeat has made any difference in my opinions. I am free to say, that I never in my life subscribed my name to an expression of opinion more cheerfully than when I did this expression of opinion relative to the action of the Supreme Court. It is only necessary at present briefly to take up the matter in words both few and simple. So far as the law is con-

cerned, the decision of the Supreme Court is understood to be final, with the exception Mr. Crockett referred to. We may move for a rehearing, but we won't get it if we do. (Laughter.) Two Judges heard the case. The two Judges decided. Both Judges concurred. The third Judge was absent. If he were to sit as a Judge on the rehearing, and be of a different opinion, he would not be able to reverse the judgment. Any body who looks to the reasoning in the decision, will see that they don't intend to reverse it, and I must say that I incline to the same opinion. They saw that the interest of the community was greatly excited in the matter, and if they did not decide with the utmost deliberation, they ought to have done so. If they decided with deliberation, they won't reverse it, and if they have not decided with care and thought, they are not worth appealing to to reverse it. (Laughter.) There were two cases relied upon by the counsel for the merchants, and others to which the special attention of the Court was directed. One was the case of *Brown v. Maryland*, decided by Chief Justice Marshall; and the other was one that was brought up in the Supreme Court of the State of Missouri. One of the cases, they declared, was very much to be doubted, (laughter) and that although a majority of the Court decided one way, the minority reasoned very ably on the other. (Laughter.) Now, in going to argue for a re-hearing, I don't know what or how to answer. I don't know what to say in reply, except that two cases brought forward, as bearing upon this one, should be a sufficient reason almost to obtain a decision favorable to one side of the question. They were no mere technical objections to the form that we brought forward. It was no objection based on the mere construction of a word or a statute.

On the contrary, it was an organic law of the greatest interest to the community, and bringing that organic law to the test of the Constitution, the discrepancy might be summed up in one word, and that word is "equality." I say, gentlemen, that the Constitution says that all impositions—all taxation shall be uniform and equal. Now, if the merchant pays taxes, the rest have also a right to pay them. Their argument is, however, that while the merchant pays taxes the poor man does not. When they undertake to license labor, they *permit* labor,—they are graciously pleased that the laboring man should breathe by paying for it, while they allow another man to breathe without his paying anything for it at all. This is not equal. I am reminded that the lawyers are not taxed. Well, insist that the law be repealed or that we all be taxed. If the lawyer is not taxed the merchant ought not. If I sell whatever little ware I may have in my brain, and the merchant sells what he has on his shelf or in his store room, either both should pay taxes for it or neither. That is the principle of equality. This is the whole argument that was addressed to the Supreme Court. If you tax property you must tax it equally. If you tax occupation you must tax them all alike, and we of San Francisco won't complain. Let the taxation be equal. I am confident here to night—as confident as ever I have been—that the tax upon consigned goods, whether it be intended as a tax upon the man who sells, or the man who sends them—whether it be flung as an insulting injury at our fellow citizens in New York, in Massachusetts, or Louisiana, or whether it be intended to lay a degrading oppressive burden upon a particular class of men—is entirely illegal, and that you cannot

tax the commission merchant without taxing the farmer and the lawyer. If we were to tax the citizens of New York and did not tax the citizens of Sacramento, I am confident that it would be found to be in violation of the Constitution of the United States, and it ought not to stand; and, therefore, as far as my opinion goes, I advise the passage of the resolution which directs the taking of the case to the Supreme Court of the United States. As far as myself is concerned, I would prefer much to avail myself of the calm and impartial judgment of my countrymen. The Legislature are only men. All that compose the Legislature are only men. They are reached by the same motives—they are appealed to by the same arguments—they harken to the same appeals and listen to the same arguments as other men, and they understand what the community, at least in this instance, expects. I don't think it worth while to abuse the past Legislature—certainly there can be no good in abusing the present.

The merchants of this city handle more capital, and exchange more amounts than any people three times their number in the world. I was going to say that they were an integral part of the State of California. They are a great part. They are what Hamlet is to the play. Leave out the Prince, and what is the play. Leave out the merchants, and what will become of the trade of California: and therefore I say that we have a right to claim a dispassionate consideration of the question by the Legislators. The committee which you intend sending to the Legislature should be composed of the wisest, best and most energetic men. They should not be old men—for there are not many old men here. Nor should they be all young. It should be composed of men of all occupations, and if you like, a few lawyers—but let them be good sensible men. Legislators sometimes have a great deal of real dignity, and sometimes a good deal of fictitious dignity. Present to them the arguments embraced here, and appeal to them as the representatives of 50,000 people. Now in England—not to speak of Congress, which has not the power to levy taxes—where the Parliament levies all taxes, it is not an uncommon thing for Parliament to call together the bankers, traders, merchants and mechanics, and listen with the highest dignity to their lessons of practical wisdom. It is so in New York, Massachusetts, and several of the other States. After a few more remarks, Col. Baker concluded.

Mr. Haywood hereby addressed the meeting—saying that he thought it quite unnecessary to inflict a speech on them. He felt that his interest would be affected by the decision of the Supreme Court. It was with delicacy they ought to approach any opposition to the Supreme Court—a Court which they had been taught to respect. It was nonsense for them, as mechanics, to say that they had nothing to do in this matter. It is absurd to suppose that the laboring man has no reciprocity of interest with capital. Capital feeds labor and labor feeds capital. Col. Baker said that the lawyers were not taxed, and there were a goodly number of them here; but so long as they helped to beautify the city, by the erecting of magnificent buildings, they had no objection to their taking good fees. It was their bread and butter that was concerned in this matter. He would sign that petition, and would use all his influence as a blacksmith, to get other signatures.

Mr. J. F. Hutton having been loudly called for, came forward and said:

Gentlemen, I don't think it is necessary for me to make any remarks after the gentlemen who have preceded me. The resolutions and petition presented here, contain the whole form and substance of the matter. I think there is no more time for such things. An hour and a half has already passed and no action has been taken in the matter. I move that the resolutions be submitted to the meeting.

The motion prevailed, and the resolutions and petition were submitted to the meeting and unanimously adopted.

The following Committees were then appointed by the Chair :

Committee to present the Petition to the Legislature and take measures to effect the repeal: George N. Shaw (chairman), Gabriel B. Post, H. B. Truett, J. F. Hutton, John Middleton.

Committee on obtaining subscribers to defray necessary expenses: G. W. P. Bissel (chairman), Fred'k A. Sandford, T. J. L. Simley, E. M. Earl, Jesse Seligman, David L. Beck, Chas L. Case.

Committee on obtaining signatures: Alfred DeWitt (chairman), Henry Carlton, Jr., O. A. Reynolds, Arthur M. Ebbetts, Louis Cohen.

A resolution was adopted tendering the thanks of the meeting to the Common Council, for having abolished the obnoxious features in the city license law, and to the counsel for the merchants, after which the meeting adjourned.

*San Jose. Committee of citizens and others
...
Construction of a railroad*

ADDRESS

OF THE COMMITTEE APPOINTED AT A PUBLIC MEETING OF THE CITIZENS OF

SAN JOSE,

IN RELATION TO THE FEASIBILITY AND EXPE-
DIENCY OF A RAILROAD BETWEEN SAN FRAN.
CISCO AND SAN JOSÉ.

Adopted, January, 29, 1851.

[ARGUS OFFICE PRINT.]



ADDRESS.

AT a large meeting holden in the Court House in San Jose, the undersigned were appointed a committee to prepare an address to the citizens of the valley, and of San Francisco, upon the construction of a railroad from the former place to the latter. Several untoward circumstances force from us a document, too meagre in its details, too feeble in all its parts, and far below the subject upon which it treats. The time allowed for its preparation has been too short, and the pressure of prior engagements has rendered it impracticable for the committee to give more than a moiety of that to the subject. This much is said, so that if the facts presented are few, and the arguments unconvincing, the enterprise may not suffer from the feebleness of our advocacy.

The history of Railroads is full of wonderful developements; but one of the most startling will be the construction of a road by a people not over two years residents in a country which they have raised into a commonwealth, and gained for it an honorable position among the sisterhood of States. The world expects much from us, but it is not anticipating *this*. When the work is done it will stand without a parallel. Can it be done? Is it needed?—Will it pay? Are there sufficient

inducements, to the undertaking? These brief questions cover the field before us, and answers to them will constitute the remainder of our address.

Can the road be built? Yes. We have a more favorable region through which to push a railroad than has ever been worked by any company in the Atlantic States. The length of the contemplated road will be about 50 miles, 40 of which is almost a water level. Through this entire distance there is not a hill to cut down, or a valley to fill: two or three narrow streams and a few gulches, are the only obstacles which present themselves. As there has been no survey of the route, we cannot speak with confidence of the first ten miles out from San Francisco; but frequent observations made while passing in the stage, or on the Bay, induces the belief that by following the windings in the small valleys, but few excavations will be required. Nature has graded the road for us almost its entire length. Not only is the whole line remarkably even, but along nearly its entire distance, and at but a short distance from it, there is an abundance of excellent timber well adapted for sleepers.

The present is a time of unusual pecuniary embarrassment, yet we do not believe there will be any serious difficulty in obtaining the requisite amount of funds. A thousand capitalists in the States will be ready to aid us as soon as they are convinced that the road is practicable, and will pay. But we do not think that it will be necessary to go to the States for funds. The late passage of a usury law by the Legislature, will be of service to us. Men who would not invest capital in a rail road when it was earning a monthly interest of ten per cent, may do it when it brings only one and a half per cent.

Let the road be surveyed, and an accurate estimate of its cost and probable receipts presented, and subscription books opened, and they will be filled. Were such a survey and estimate now ready for inspection, we doubt not but the cost of construction would fall far below the public expectation. Some have named \$2,500,000 as the least amount that would by neces-

sary. We speak calmly and deliberately when we say that one-third of this sum will place the road in good running order. Abundance of laborers can be obtained for two dollars per day and board, and as we have said, there will be but little grading through the entire route, but few bridges or embankments, no digging or bedding to protect against frost, no heavy outlay for lumber; and strong intimations have been made that the T rail can be obtained at a very reasonable rate. Never could circumstances more favorable combine in behalf of an early and cheap construction of a road. Nature tempts us to the work, and we should be recreant to duty to resist her call.

Is the road needed? Will it pay?

It has been objected to this enterprise, that a railroad is not needed, and cannot be sustained; that there are neither freight nor passengers sufficient to justify the expectation that it will defray even its current expenses. So it was said when the immortal Clinton projected his great canal. Then there was but little travel and less freight, to or from the west; not a bushel of grain was ready for transportation, and minds of an inferior order and limited views ridiculed the idea that such a work was needed, or would ever be sustained. But the work was undertaken; the canal has long been in successful operation, and has added millions to the individual and collective wealth of New York. It has poured one flood-tide of prosperity upon the agriculturist in the interior, and upon the dweller in the city. Millions of bushels of grain are annually borne upon its waters, and thousands of emigrants avail themselves of the travelling facilities it affords.

A similar objection was made to the construction of the Erie railroad. It was said that the canal was fully competent to meet every demand for transportation; but the road was built, and has met with a constantly increasing patronage.

For the year ending September 30, 1844, the total number of tons transported was 72,736,470, being an increase of about eighty per cent in three years.

The Lowell, Fitchburg, Boston and Worcester roads met with the like objections—now they are among the most profitable investments in the States.

The valley of San Jose, with its tributaries, contains about 900,000 acres of as fine tillage land as the agriculturist need desire. This land has yielded one hundred fold increase of wheat, and has been equally prolific in other products. One of the authors of the address has raised this year 900 bushels of potatoes on one acre. We speak advisedly when we say that in two years, with the aid of a railroad, this valley will be able to supply San Francisco with all the produce she can use. Our teeming acres will pour forth a bounteous supply for her population when it shall have risen from 20,000 to 2,000,000 inhabitants.

Even with the present population of the valley, a profitable business can be done on such a road. During the last seven months, the amount of passenger travel between this place and San Francisco has not been less than 10,500, at an average expense of \$16 each, making a total of \$168,000. During the same time about 2,000,000 feet of lumber were brought to the Embarcadero, at an average cost of \$15 per thousand feet, amounting to \$30,000 ; to this must be added \$30,000 for other freight. In this enumeration we omit the immense quantities of hay, wood, bricks, potatoes, quicksilver, cattle, and various other articles which have been transported to San Francisco by water or land. To this we must add the cost of carting to and from the Embarcadero. Some estimate may be formed of the enormous amount of this item of expense, by the fact that one firm, and that not one of the largest, has paid, during six months, over \$3,000. These facts justify the supposition that the expense of transportation for the six months ending December 31, 1850, has not been less than \$300,000, or more than one sixth of the entire receipts of all the railroads in Massachusetts. The history of railroads has established the fact that in a short time they greatly increase the amount of freight and travel, parti-

cularly the latter. Our wisest railroad directors abroad lay it down as a rule, that any route will sustain a railroad, when the expense of grading comes within reasonable limits, and that sustains a daily stage, because the increased facilities for travelling afforded by a railroad invariably increase the number of travellers. When merchants living sixty or one hundred miles from the city can enter the cars in the morning, make their purchases, and return the same day, their visits increase more than ten fold.— Distant members of families, too, are brought into more frequent contact, and social life contributes largely to the increase of travel. It is a fact with which all may not be conversant, that on roads intended both for freight and passengers, the receipts from the latter greatly exceed the receipts from the former. The amount taken on the Massachusetts railroads in 1841, was \$541,634 for freight, and \$1,710,631 for passengers. On the Long Island railroad the amount taken for passengers in 1844, was \$65,009, and for freight only \$10,154, and this in an old country. But ours is not an old country. Without the creative influence of a railroad, in a short time San Francisco must have a population of fifty or sixty thousand, and in our valley a still larger number; but with this influence the population will swell greatly beyond this. Then, like the ebb and flow of Ocean's tide, there will be a mighty influx and efflux of population. The farmer, the merchant, the professional man, and the man of leisure, will be rushing to or from the city for business or pleasure. The whole line of railway will be dotted with beautiful villas and country residences. The merchants and lawyers of San Francisco will turn away from the din and strife of the city; from its bleak winds and unattractive sights, and will hie to the cottage buried in ivy and woodbine, surrounded by shrubbery, flowers and fruits, and there, mingling in the cool of the evening with wife and little ones, will wear off cares of the day, drink in the pure air of heaven, and throwing, for the hour, ledger and counting room to the winds, will give way to generous impulses and social feelings. The merchant, harrassed, perchance care-

worn and vexed, will be transformed into the husband, father and friend. Thus the cars, rushing as on the "wings of mighty winds," will daily come richly freighted with domestic bliss. Is this poetry? It is the poetry of fact. We cite you to the thousands of home spots which meet the traveller's eye as he journeys over any of the principal railroads in the older States.

We have said the construction of a railroad invariably increases the amount of freight to be conveyed. In the absence of any late reports, we submit the following as confirmatory of our assertion.

The tonnage and revenue of the Eastern Division of the New York and Erie Railroad were as follows :

<i>Years.</i>	<i>Tonnage.</i>	<i>Revenue.</i>
Ending September 30, '43.	57,992,822	\$75,145 89
" " '44.	72,736,470	97,987 80

On the Boston and Worcester road, the amount of freight conveyed in 1843, was 43,584 tons ; in 1844, 58,582, being an increase of nearly 15,000 tons. The receipts of the Baltimore and Ohio road for 1836 were \$281,312 ; for 1845, \$738,603. We wish it borne in mind, that this increase was in old and well settled regions of country, and must be attributed mainly to the influence of the railroads. What estimate, then, shall we form of the increase of travel and freight consequent upon the construction of a railroad through our own fertile valley. Millions of acres will be tilled, that would otherwise lay wild, and thousands of tons of produce will be poured into the markets of San Francisco, that would not otherwise be raised.

ARE THERE SUFFICIENT INDUCEMENTS TO THE UNDERTAKING?

This we have partially answered. We now answer it more definitely. Prior to the introduction of railroads, the whole business of supplying large cities with garden vegetables, and the products of the dairy, was in the hands of persons residing within a few miles of the respective markets. Land, five miles

from the city, was worth from three to fifty times as much as the same quality of land distant fifty or sixty miles, solely for the reason, that the owner of the former had a nearer market, which not only lessened the cost of transportation, but enabled him to offer many articles for sale, so perishable in their nature, that they would perish upon the hands of the farmer at a distance, had he undertaken to convey them to market. The following statistical facts will both explain and demonstrate this : In 1844, there were transported over the New York and Erie Railroad, 168,380 baskets of strawberries, and 5,267,000 quarts of milk. These, with numerous articles from the garden, were brought from five to over a hundred miles, the farmer in the interior being able by means of railroad facilities, to compete with the agriculturists on the sea board. For all practical purposes, as if by some miraculous agency, the farm in the distance had been brought near, by enabling the farmer to get his produce to market in from one to five hours, who had previously required from five hours to a week. During the past season, thousands of dollars have been lost by the shippers of vegetables from this valley to San Francisco, by the detention of vessels by head winds, leaving the vegetables to wilt or decay. Give the agriculturist this cheap, quick, and *reliable* mode of conveying his goods to market, and he will be benefitted in various ways. He will send a greater variety and larger quantity to market ; he will get them there in better condition, and at less expense ; his land being brought nearer to the market, will bring him a higher price. There are agriculturists who might purchase twenty shares in the proposed road, and more than clear that by the facilities it would afford them next season, and there are large land holders who would find their lands increased more than one hundred per cent. by the passage of a railroad through it. We will not waste time in attempting to show that land holders and agriculturalists will be benefitted by the construction of the proposed road. Nor are they alone. The purchasers and consumers of articles brought into the valley, will be profitted.

The average price, during the past year, of transporting a ton of goods from San Francisco to San Jose, has not been less than \$30. At present, the expense is about \$22. Nor can it ever be much less, owing to the nature of the Bay and the creek; but, if this road is built, it will at once be reduced to less than one fourth of this amount. Some railroad companies transport freight fifty miles for \$1,25. This change will make a material difference in the mining operations, which are to be an increasing source of wealth to our citizens. The long train of mules and nondescript watercraft, will give way to the iron rail and the powerful locomotive and car.

We glance for a moment at this road in its connection with the comfort and prosperity of San Francisco.

In a carefully prepared estimate, made sometime ago, we find it stated that the city of New York contains about 60,000 families, and that the saving in the price of milk, is equal to seven dollars to each family, or \$420,000; and the saving in vegetables and others articles, sixteen dollars, or \$960,000 per annum. Then there is the gain in the quality as well as in the price. The milk is the genuine "simon pure," and not the joint product of the pump and the chalk barrel: the vegetables are fresh and plump, and not shrunken and dried, as if they were the relics of a former age. These, however, are but minor details. The magnitude of the enterprise, and the greatness of its results, transcends the mere price of cabbage, or the excellence of a dinner. There is no other work that can contribute so largely to the growth of San Francisco, as this. Nearly all our large seaport towns at home, have doubled or trebled their population and wealth since the introduction of railroads into them.

We will refer to Boston as an apt illustration. For several years prior to 1831, the whole aspect of things in that city was gloomy and forbidding. New York was making such effective use of her canal, and of the East and North rivers, that she threatened to make the prolific west, and industrious east, mere tributaries to her. In 1831, Massachusetts began her great system

of Railway communication. As if a magic hand had touched her, and given her a mightier life, she immediately set out upon a career of prosperity. Now she has hundreds of miles of railways, which find their termini in Boston. These, like the arteries and veins in the human system, carry the tide of growth and life from the great heart of the Commonwealth, to the most distant extremities. The State has invested over \$25,000,000 in railways and their fixtures, and she is reaping a rich harvest, as the fruit of this investment. In nearly every direction, new villages and isolated structures meet the eye ; stone quarries, forests mill sites, and other sources of revenue have been made available. The present census report will probably give a valuation of \$500,000,000, and a population of 1,000,000 to the State, and a population of 200,000 to Boston and its suburbs, and valuation of \$200,000,000. Boston and its suburbs in 1830, had a population of 81,500 ; in 1845 it was 155,000 ; a gain of 90 per cent in fifteen years. In 1830, the valuation was \$59,586,000 ; in 1845, it was \$135,948,700, or an increase in fifteen years, equal to 128 per cent.

By no other step or outlay, could the citizens and capitalists of San Francisco so greatly add to her wealth or comfort, as by aiding to increase our facilities of intercourse with her, by the construction of a good railroad. We cordially invite them to unite with us, in joining our respective cities by iron bands which shall be better than mines of gold.

We might appeal to State pride. As sure as our proud eagle has spread his wings from the east to this western shore, so sure will one vast iron belt bind in one the old States of the east, and our youthful State of the west. We are not always to be thus widely separated—the railroad and magnetic telegraph will soon bring San Francisco in as close proximity to Washington, as Boston was seventy-five years ago. But if a railroad commencing in the Atlantic States, is ever to reach San Francisco, it must pass through our valley. We shall be on the direct route to Washington, and the road we contemplate will be the

beginning of a great national work, worthy of the name and resources of our loved republic.

Fellow citizens, our address is too long—we close. We ask for your aid. Let us have the *honor*, and we, and they who shall come after us, the benefits of the first railway on the Pacific. Let us bring this mighty instrumentality to bear in developing the resources of our adopted State. A united effort *cannot* fail—it must succeed. Some will predict failure—so some have done at the commencement of the most profitable investments. Write—speak—*above all, act*—and the fire horse, though breathing fire and smoke, shall soon rush over a well laid course, bearing joy and plenty to our homes.

A. J. YATES.

B. BRIERLY.

CHARLES CAMPBELL.

F. H. SANDFORD.

L. BASCOM.

U.S. Post Office. S. 7

STATEMENT
INCLUDING
CORRESPONDENCE
AND
DOCUMENTS
RELATING TO
ALLEGATIONS MADE AGAINST
THE
SAN FRANCISCO POST OFFICE
AND
CHARLES L. WELLER, POST MASTER.

SACRAMENTO:

PRINTED BY S. W. RAVELEY, STATESMAN BOOK AND JOB OFFICE,
NO. 54 THIRD STREET.

THE
JOURNAL OF THE
ROYAL ANTHROPOLOGICAL INSTITUTE

Volume 100, Part 1, 1970

Edited by J. H. J. VAN DEN BERGHE

Published by the Royal Anthropological Institute

London: Royal Anthropological Institute, 21, BEDFORD SQUARE, W.C.1A 3EF

Printed in Great Britain by the Royal Anthropological Institute

REMARKS.

During last session of the United States Senate much was said regarding the San Francisco Post Office, and certain practices therein, and many facts were misrepresented or misunderstood. My motives and conduct were assailed and descanted upon where I had no opportunity of defence. A Senator manifested no little anxiety to be put in possession of the facts of the case by the Post Office Department in answering certain resolutions of his proposing, but, at his own instance, the publication of the answer of the Department was refused or suspended by the Senate.

If published, I should have been content with it as my sufficient defence, and I would not now feel it incumbent upon me to say one word additional. A bold attempt was made to obtain from the Department an *ex parte* report calculated to prejudice me, give a false coloring to the real facts, and accomplish the much desired object of my enemy—my removal from office. Unfounded and unsustained allegations were made against my character and integrity—were investigated by the Department and pronounced false—a Senator made statements of my personal and official standing, which he *cannot* establish the truth of, and of which the files of the Department furnish an emphatic refutation. Personal animosity arising from political prejudice has arraigned me where I was not allowed to stand up in defence, and has there given utterance to assertions which but excited ridicule with those best acquainted with the facts.

These remarks are premised by way of excuse, if one be necessary,

for my preparing this publication and presenting it to Senators and others for perusal.

Occupying the official position I do, devolving upon me the duty of enforcing the Post Office laws, of preventing infractions of the Post Office regulations, and of guarding the Department's revenue from fraud, it is not strange I should encounter the interests of individuals, and, by being placed antagonistic to their nefarious schemes of money making, make to me enemies. If the whole controversy raised by the individual who was at the head of a so-called Penny Post Company of San Francisco be sifted to the bottom, laying aside the question whether my course was legally right or wrong, three things will certainly be apparent, to wit: 1st. That a scheme was gotten up to make money from letter carrying outside the Post Office organization; 2d. That it was calculated to divert money from the Post Office revenue into the pockets of private individuals; and 3d. That my course but intercepted the success of the plans. With the man himself, his character or previous low callings, or his foolish and frivolous tricks upon others, I had nothing to do, endeavoring to regard his rights precisely as though he were altogether respectable and respected, and fully *compus mentus*. It was with the illegality and irregularity of his scheme that I had to deal. It was not a simple question of whether he would make money, and the Department lose in the same ratio, but a question whether he had a *legal right* to divert money from the Post Office Fund to his own advantage; and whether my duty did not require me to stay his hand. I did intercept his wily schemes, and, in doing so, believe I did not transcend one iota my clear duty, as imposed upon me by law and my official oath. I was sustained, in the legality of my course, by numerous decisions of our Courts, after a full investigation of all the issues in the controversy; my course was canvassed by the Department and emphatically approved. My official action has been vindicated by the Courts—approved by the Department—sustained by public opinion, and justified by my conscience. I but ask an attentive and impartial perusal of the following pages, containing such portions as I possess of the correspondence and documents relating to the controversy between the so-called Penny Post Company and myself. I regret I have not in my possession the entire correspondence and all the documents of the case. With the perusal of them by any candid and impartial mind, I am willing to rest the issue.

But allegations have also been made by another, and of a more serious nature. They have been made by one who enjoyed my bounty, and whose family's bread was obtained at my hands for more than two years and a half, and with whom, I opine, the head and front of my offending was simply in not continuing that bounty—that favor upon which he grew “fat and saucy.” His allegation I give in the following pages, and ask a careful perusal of it. If there be any poison in it for me, it carries with it a sufficiency of antidote to counteract any evil effect. A close scrutiny of R. K. Porter's allegations will disclose his admissions of being *particeps criminis* to the criminal act he charges upon me. And this alone should be sufficient to throw suspicion around his testimony, and certainly to invalidate it when contradicting evidence is adduced from those standing equally as credible in society (not to say more so), and who are known to be as conversant with the facts as he. He had solemnly sworn “to faithfully perform all the duties required of him, and to *abstain from everything forbidden by the laws in relation to the establishment of Post Offices and Post Roads within the United States.*” With his holy horror for crime, as attempted to be made apparent in his affidavit, can it be supposed that he would lend himself to the base purpose he indicates for a pecuniary consideration, to-wit: his monthly salary as clerk? By his own showing his conduct is certainly enigmatical. It is difficult to decide whether the moral turpitude of his conduct in the one instance, or his base ingratitude in the other, be the greater offense. His allegation caused an investigation by the Auditor for the Post Office Department, and that officer made a report thereon to the Postmaster General, which was transmitted to the Senate, but not published, one Senator particularly desiring that it should not be—it did not suit his purpose. That report will be found in the following pages. It says:

“The accompanying statement obtained from the transcripts on file in this office exhibits the fact that he (Charles L. Weller) did account for \$1,614 49, in postages on letters received via Panama, which came to him without post bills, and are, doubtless, the letters referred to in the charge against Mr. Weller.

“I have only presented the amounts accounted for within the period named, because I deemed them sufficient to refute the charge that Mr. Weller had suppressed the amounts, and applied them to his private uses.”

It will be observed that the Auditor states that his exhibit is *sufficient to refute* the charge that I had suppressed the amounts and applied them to my private uses. And thus, in my judgment, falls to the ground still-born and with utter disgrace upon its author, the allegation

of R. K. Porter. But I go further, and assist skeptical and prejudiced minds in coming to a candid opinion, by giving a statement, in the following pages, showing the amounts I have collected and accounted for during the entire time I have been in office. It will be recollected that these amounts are for postages on letters unpaid, and which no post bills accompanied. Therefore, as there existed nowhere any charge or account of them against me, I had to make that debit myself, and for proof of my accurate and full return, I am willing to have it adjudged by comparison of the amount with the same item returned by other offices doing about the same amount of business. It will be seen by reference to the table on page , that from the commencement of my term of office, August 24th, 1854, to September 30th, 1858, I collected and accounted for the sum of \$7,171 61. The amounts making up this sum will be found in my transcripts of mails received in the column of "Unpaid", but should have been entered in the column of "Under-charged." Since, however, it made no difference in the actual state of the account, the error is an immaterial one. I desire especial note of the fact, that, upon this class of mail matter, I collected and accounted for, from one single mail, the amount of \$741 20—a very unusual amount—being a large mass of letters brought here from Panama for the British fleet then at this port.

I have no doubt Mr. Porter's acuteness did not fail to observe the opportunity *afforded* of making money as alleged, and that he thought to himself, if I did not take advantage of it, I would not be doing as he would, similarly situated, and by that kind of ratiocination, perhaps, brought himself to the conclusion that I *had* seized upon the golden opportunity.

As to his allegation against my Assistant, John Ferguson, Esq., I have only to say, the transaction referred to transpired before I became Postmaster, and, therefore, I have nought to do with it.

Inasmuch as I have been charged with defrauding the revenue of the Department, it will be legitimate, after refuting that charge, as I think I have done, to make a showing of the sum, I may say, I have saved to the Government by a fearless and impartial discharge of my duty. There is a provision of the United States statute forbidding Express companies and others carrying letters outside the mails, unless covered by the United States stamped envelope. When I took this office, that law was not being enforced, and the revenue of the Department was, in

consequence, suffering greatly. I proceeded to enforce it rigidly, and, in the course of a few months, obtained against Express companies, in the United States District Court here, eighteen judgments, which paid to the Government, in penalties, \$1,350. By the rigid course I adopted, I soon brought the express companies to a strict observance of the law. All the companies then in existence, save that of Wells, Fargo & Co., are now defunct, and I am, therefore, able to obtain a statement from but the one, of the number and amount of stamped envelopes bought at this office in consequence of my rigid enforcement of the law. I have now to refer to the statement of Louis McLane, Esq., Agent, Wells, Fargo & Co., on Page —, by which it will be seen I sold that company alone, 2,735,500 envelopes, amounting to \$98,052,80.

In addition to this, my own books show sales to other Express companies of about 400,000 envelopes, amounting to \$12,720,00, which altogether makes 3,135,500 envelopes, and in money, \$110,772,80. This sum, or mostly, would have been lost to the Government if I had allowed a continuance of the state of things existing when I came into this office.

I have said, the Postmaster General was called upon by Resolution of the Senate for information touching my official acts, and affairs of my office, and, that his report was not allowed to be printed, because it did not suit the mover of the Resolution. It was said that injustice was done by the Postmaster General's answer to a "citizen"—(H. L. Goodwin,)—that, "his character was attacked—that he was charged with being *insane*," &c. This was the pretext for suppressing the full and comprehensive answer of the Postmaster General, and that too by one who had introduced resolution after resolution into the Senate scandalizing also a "citizen"—no less so because a public officer. Look at his first resolution introduced on the 21st of April, 1858, which he did not press to passage in the original form, and why? He succeeded in getting it on the Journal of the Senate with its false inuendo—fastened upon that imperishable record—and that was as much as he could hope to accomplish in the face of candid and just Senators. That resolution calls upon the Postmaster General to report "whether the Postmaster has any legal authority to discriminate against one class of citizens, and in favor of another class, by withdrawing letters—as *letters are withheld at the San Francisco Post Office*," &c. Does not this resolution prejudice the case? Does it not ingeniously seek to make the Senate (as a body,)

stultify itself by admitting a doubt as to "whether the Postmaster has any *legal authority* to discriminate against one class of citizens," &c. Could any sensible legislator entertain, for one moment, the slightest doubt upon a so plain and common sense proposition? Observe also, the unwarranted and unparalleled efforts to make the Senate declare (by the terms of the resolution,) as a well settled and determined fact, that which had never before been brought to the notice of that body—which had not been investigated by it—of which it had been furnished *no information*, to wit: "*as letters are withheld at the San Francisco Post Office,*" &c. Upon this ingenious device, well did an Honorable Senator (MR. BIGLER,) remark:

"I suggest to the Senator from California, that this resolution asserts as a *fact* which *may not exist at all*. We call on the Postmaster General to communicate to the Senate the amount of receipts which have been illegally received at the San Francisco Post Office. Now I suggest that the resolution ought to call for information as to the *fact*, whether *illegal fees* have been received for the use of the boxes, and if so, to what extent, I do not like to vote for a resolution which asserts as a *fact*, that which the Senate does *not know* to be so."

The novel proceeding was also well and properly characterized by the Honorable Senator from Florida, (MR. YULEE,) who remarked:

"I will make a distinct motion. It was my intention to do so, as I informed the Senator from California. The first branch of the resolution proposes to inquire what amount of box rents were received at the San Francisco Post Office between the 1st of July, 1854, and the 31st of December, 1857. There can be no objection to that inquiry, if it is deemed desirable by the Senator, though the information can be furnished to him without a call from this body on the Department. The resolution then continues: 'And that he be requested to inform the Senate what law or what regulation of the Department authorizes the collection of the same.' We know what law there is, and it is our duty as legislators to know what the law is on the subject. I can inform the gentleman——"

MR. BRIDGERICK. I would rather get the information from the Department than from the Chairman of the Committee on the Post Office and Post Roads.

MR. YULEE. The Department have once or twice reported on that subject. That will not be material if the Senator desires to hear from them, though the law is before us. All the rest of the resolution I will move to strike out, and I make that distinct proposition. * * * * * Now, I take it, it is both becoming and proper in the intercourse between the different Departments of the Government, that we should practice *courtesy*, and I think that is a very *discourteous* inquiry, pregnant with a very *unjust imputation*, and especially, as I can assure the Senator that *no such occurrence has taken place in California*. I think the Senator has received a letter very recently which ought to satisfy him on that point. However, I think the Senate ought not to *stultify*

itself by asking such a question as whether a Postmaster has legal authority to *discriminate* between one class of citizens and another. We know certainly that he has not; and such an inquiry, it seems to me, is very unnecessary to be made of one of the Executive Departments, and *very discourteous*.

"The Senator assumes in the resolution, as has been said by the Senator from Pennsylvania, as a *fact*, what the Senate *cannot* know to exist as a fact, and what I am sure does *not* exist as a fact. If the Senator desired to make the inquiry as to any particular case, then it might be proper to call on the Executive for information. If the Senator knew of any case in which there has been a malfeasance by the Postmaster at San Francisco, as is implied here, then it might be proper for him to introduce a resolution, calling on the Department for the facts in reference to that particular case. If he knows of the existence of such a fact it is his duty to communicate it to the Department, and if the Department fail to act on his information, then to pursue whatever course may be proper to bring the offending officer to judgment, either on the part of the Executive or the Legislature, if legislative interference should be necessary. But I take it, sir, that the Senator should, if he believes there has been malfeasance on the part of the Postmaster at San Francisco, specify what it is, and call for the specific information on that particular case; otherwise we require the Postmaster General, by a sort of *dragnet* resolution, to float about in search of some cause of complaint against the Postmaster at San Francisco, when he is not in possession of any fact of complaint, or any fact of malfeasance on the part of the Postmaster there. I move therefore, to strike out the whole of the latter clause as entirely unnecessary; and if the Senator chooses to introduce an additional clause here, specifying some particular cause of complaint, and calling upon the Department for such information as its records may furnish in regard to that particular cause of complaint, I should have no objection; but I do object to the form in which it is put here, as *stultifying* the Senate, and *discourteous* to a branch of the Government which we unite in administering."

Decency and a respect for proper courtesy, forced the modification of the resolution in the purgation of its false inuendo, but one of the objects of its author was accomplished, as I have before said, by having the entire original resolution spread out upon the pages of the Senate journal.

On the 12th of May, 1858, another similar effort was made by the same Senator to have the Senate declare as *facts*, matters which that body had no actual knowledge whatever of, nor upon which had it heard any but *ex parte* statements—mere assertions of those who were seeking my ruin. That resolution sought to declare:

"And whereas, There was placed on the file of the Post Office Department, in April, 1857, specific charges, duly sworn to, of malfeasance in office, of neglect of duty, and of violations, not only of the laws, but also of the regulations of the Post Office Depart-

ment, on the Part of the Postmaster of San Francisco, which said charges are substantiated by the sworn testimony of some thirty or forty witnesses—”

This resolution was also shorn of its indecent and unjust innuendoes and discourteous character, and passed on the next day in the form of a simple inquiry. In the face of the appeal to the Senate to protect the rights of a “free citizen,” this is the sort of “protection” that was sought to be meted out to me. Scandal, gross and unfounded, which but one solitary Senator would subscribe to, goes upon the Journal’s page to be read by untold thousands in futurity as well as the present; whilst the impartial, explicit and full report of a public officer conversant with all the facts, and a gentleman of too pure integrity to have it questioned except by one grossly lacking this virtue himself, too proverbially high-minded and honorable to be exposed to the charge of unfairness and dishonesty by a *gentleman*—such a report is to be placed away among the dusty and invisible files of the Senate. Even the *very courteous* “memorial” of that “very respectable and very *sane* man,” H. L. Goodwin, is exhibited, in its full length and breadth, in the recorded proceedings of the U. S. Senate! The Senator who certified to Goodwin’s sanity will, I imagine, scarcely be willing to attach this celebrated, model “memorial” to his certificate, as confirmatory of its truth. I wish every honorable Senator may turn to page 2871 of the Congressional Globe, for the 35th Congress, 1st Session, and carefully read that memorial. In striking, with his invectives, at the unscathable head of the Post Office Department, he has lost none of the fluency for it which he acquired from former associates in a business it is not now my business to mention. I will quote from his paper, which, in speaking of the Postmaster General’s answer, he no less than NINE times characterizes it as “*the pretended answer*,” “is evasive;” “suppresses facts;” “tends to deceive the Senate;” its publication would work injustice to the public;” “until a more full and true answer;” “ignores the fact;” “suppresses the fact and virtually denies;” “omits to inform;” “garbled representation,” etc., etc. These are choice terms and form an eloquent appeal for protection to a “citizen.”

I ask an examination of this memorial, which was read in the Senate on the 10th of June, 1858, and I shall undertake to prove, by the memorialist himself, that it contains false and contradictory statements. That document says:

“The said pretended answer tends to leave the impression on the mind of the Senate that the San Francisco Postmaster had already been judicially tried and acquitted on

the points of the merits of the accusation, whereas, in point of fact, the files of the Post Office Department show *that he has never been tried*, and that the result of the preliminary examination in San Francisco, turned, not on the merits, but on the plea alleged by the Postmaster there, that his proceedings, as complained of, "*were in accordance with the instructions and approval of the Postmaster General.*"

Then, in the very next breath, it says :

"The said pretended answer tends, further, to leave the impression on the mind of the Senate, that the course pursued by the present head of the Department has been in exact accordance with the view taken and pursued in the premises by his immediate predecessor; whereas, had he afforded the Senate the entire file of the Department here on the subject, instead of a garbled representation of the same, it would be instantly obvious that the *late head of the Department never did approve* of the acts of his subordinate at San Francisco on the merits."

Now, one of these paragraphs blows hot and the other cold. One of them says I escaped the judgment of the Court, because my proceedings "*were in accordance with the instructions and approval of the Postmaster General;*" and the other says, "*the late head of the Department never did approve of the acts of his subordinate at San Francisco on the merits.*" Here let it be borne in mind, all the transactions to which this memorial refers transpired during the term of office of the "late head of the Department," and whatever approval of my conduct took place was by him.

Out of Mr. Goodwin's own mouth will I condemn him, by calling up his memorial to Congress for indemnity for losses, submitted in 1856, in the form of a printed pamphlet. In the very title he affixes to his work, he furnishes a contradiction to his present declaration, to wit: "Memorial of the Penny Post Company of California, praying indemnity for losses sustained in consequence of the unlawful detention of letters at the San Francisco Post Office, *by direction of the Postmaster General.*" Here he says "letters were detained at my office *by direction* of the Postmaster General," acquitting me entirely. On page 4 of that memorial, 10th line from the bottom, he says, "*the Postmaster at San Francisco, with the approbation of the Postmaster General of the United States*, commenced a series of illegal and vexatious annoyances, not only designed, but well calculated to break up the whole business of the Company;" "These measures, *sanctioned by the Department,*" etc. Again, on page 7, last paragraph, and continued on page 8, he produces two letters from the Department, and says:

The following letters from the First Assistant Postmaster General, serve to show *that the Department justified and sanctioned the course of the San Francisco Post Office*, avowing the same motive, and assu-

ming the whole responsibility of the proceeding." And here follows the letters :

POST OFFICE DEPARTMENT, }
APPOINTMENT OFFICE, August 16th, 1855. }

SIR: Your letter of July 16th, with the accompanying papers, has been received, and the subject to which it relates has been fully considered. In reply, I have to state, that the course pursued by the San Francisco Postmaster is regarded as strictly legal, and that the Department cannot consent to any arrangement with express companies which would result in injury to its revenues. The adoption of a different rule would be destructive to the usefulness of the postal system, and injurious to the diversified interests which that system is intended to subserve.

Respectfully your obedient servant,

[Signed.]

HORATIO KING,

First Assistant Postmaster General.

HENRY L. GOODWIN, San Francisco, Cal.

POST OFFICE DEPARTMENT, }
APPOINTMENT OFFICE, August 16th, 1855. }

SIR:—In reply to your letter of July 15th, addressed to the Third Assistant Postmaster General, I have to inform you that your course in regard to the so-called "Penny Post Company," is *fully approved by the Department.*

This Department has at all times declined all connection with Express Companies, and it will sanction no arrangement with such companies, calculated to diminish its revenues.

Respectfully, your obedient servant,

[Signed.]

HORATIO KING,

First Assistant Postmaster General,

CHAS. L. WELLER, Esq., Postmaster San Francisco, Cal.

Then on page 9, line 19, from bottom, the following language is used: "which the *Department has encouraged, approved and justified* in the Post Office at San Francisco." Furthermore, on page 13, line 27, it is asserted, "that the Postmaster was *acting under the orders of his superiors, who approved and sanctioned all his proceedings.*" Also, further down on the same page the following appears: "It was undoubtedly the *sanction of the Post Office Department*, tacitly operating upon the minds of the jury," &c. "In consideration of these facts, and because the acts *ordered or approved* by the Government of the United States," &c. After bringing some six or eight suits against me, in the California Courts, in all of which I was fully acquitted, these memorialists abandon all hope or expectation of either recovering damages from me, or forcing me by legal means into a different line of policy, then resort to Congress for an appropriation of public money to cover their losses.

I have quoted these portions of Mr. Goodwin's former memorial, simply to put in juxtaposition with his later memorial. In the former he was arguing for \$25,000, and in the latter for "protection" to his *character*, and this exhibit will perhaps enable Senators to estimate the value of the article to be protected. There is a great difference between

"then and now,"—between goring another's ox, and having one's own ox gored. The full, explicit and able Report of the Postmaster General, was about to be printed and sent out to the world, and the frivolousness and groundlessness of H. L. Goodwin's pretended grievances would thereby be made apparent, therefore, at all hazards, it must be prevented and this last memorial is the desperate effort to that end. I think I have not failed to show conclusively, by Goodwin's own asseverations, as well as by the official declarations of the Department, that it is palpably untrue, "that, the late head of the Department never did approve the acts of his subordinate at San Francisco." And I will undertake to show another false assertion in that same memorial, to wit: that, "the files of the Post Office Department show that he the "San Francisco Postmaster," has never been (judicially) tried." On page 13, line 20 from top, it is stated, "Your memorialists beg leave to present herewith the records of certain legal proceedings, by which they attempted to obtain redress for their wrongs before the Courts of California," * * * * "and if the Courts of California failed to hold the Postmaster personally responsible," &c. On the same page we are informed "The decision of the United States Commissioner was reserved for ten days," &c. And a few lines further on, we find reference to yet another suit, as follows: "It is true that, in the subsequent *civil action*," &c. Then again, some five lines below we read about a "jury" which *did not* give "judgment against the Postmaster of San Francisco." At the bottom of page 31 we read as follows: "Unsuccessful attempts were subsequently made to subject the official conduct of the Post Office authorities to judicial investigation. The Hon. Judge McAllister, of the United States Court, dismissed two different Grand Juries for the term, after he had been informed of their intention to investigate the matter. Complaint was also made before the United States Commissioner Monroe, for violation of the Post Office laws. The examination lasted three days, and, ten days thereafter, the Commissioner decided, not that the laws had not been violated, but that the Postmaster had acted throughout under the direction and sanction of the Postmaster General."

On the next page we have the decision of the United States Commissioner spread out in full. Following this, *eleven pages* are taken up in stating evidence *it is said* was produced in a suit of "Penny Post Company *vs.* Charles L. Weller, in the Superior Court of the City of San Francisco, July 10th, 1855." Also, in the very memorial in which he

says I never was tried, the following language is held: "The said pretended answer further omits to inform the Senate that there are on the files of the Department here, copies of *judicial opinions* rendered in San Francisco, which determined the facts that acts charged against the Postmaster there were violations of the law, and "*an official wrong.*" *This is untrue*, but it serves to show the ridiculousness of this model memorial. Notwithstanding all this array, Goodwin has the hardihood, on the 10th day of June, 1858, to declare to the United States Senate that I "had never been judicially tried"!

One more point, and I am done with this strange and singularly contradictory effusion. It labors to show that the suits in the Courts here against me "turned, not on the merits, but on the plea alleged by the Postmaster, that his proceedings, as complained of, were in accordance with the instructions and approval of the Postmaster General." Now look on page 13, line 33, of the old printed pamphlet memorial, and we shall find Goodwin admitting, "It is true that, in the subsequent civil action, this evidence" [viz: That my proceedings were approved and sanctioned by the Department,] "was excluded from the jury." In addition to this, there will be found on page of this pamphlet, my answer in one of the suits against me, wherein I plead general denial. Besides this, on page will be seen a transcript of a Justice's docket in another case, which will show that at least one case was tried on the "*merits.*" And if further evidence be required on this point, I have but to refer to a letter of Justice Smith on page ; in which he states, "*both cases were ultimately decided purely upon the merits.*"

Now, in the face of all this showing, Goodwin has the effrontery to characterize the Postmaster General's report, and to apply to that honorable gentleman vile epithets unworthy the body he was addressing, in the main false and unfounded, and simply trumped up to accomplish his base purposes.

Was it not *charity* to call him insane! Upon what other plea can he be excused? If it be not madness in him, and that, too, without method, I can only attribute it to recklessness and total depravity. I have been compelled to devote this long notice of the man in view of the false and mystified aspect he had succeeded in putting upon the controversy he has been carrying on for the last three years, whilst I felt that he, of himself, was game not worth the powder. I have done with *him*, and glad am I of it.

And here I would gladly drop my pen finally, and consign the rest to justice and public opinion, but there is another, whose accidental official position, in view of his participation in the matter of which I have been writing, seems to require a brief notice at my hands. Under ordinary circumstances, the high respect I entertain for the dignity of the honorable body of which he happens to be a member, would restrain me from saying one word disrespectful; but if he will stoop from his high official position and make a personal (and, as I believe, unwarranted) onslaught upon me, I shall certainly be justified in giving a "Roland for an Oliver." And with reference to the past alone, I would feel exceeding reluctance in approaching this portion of my subject, but being warned by the Senator's declarations last session, that he intends to renew his onslaught upon me at the coming session, as also his threats of war upon me to the knife, during his late visit to San Francisco, and having no opportunity to parry his unmanly thrusts at my back, I have now the alternative only of anticipating, and thus making the best defence such circumstances will allow.

Public voice placed him *not* in that exalted position; rather, indeed, has it, since he attained it, twice mourned over the act of the Legislature and repudiated him.

On the 14th day of April, 1858, in the U. S. Senate, he made up an issue on which he was to stand or fall in the following remarks:

"The resolutions introduced by my colleague, from the Legislature of California, will have no influence upon my action here, now or in the future. I am satisfied that these resolutions do not express the opinions of the people of California upon the question to which they refer. I am satisfied, sir, that four-fifths of the people of California repudiate the Le-compton fraud. I shall respect the wishes of the people, and pay no respect to the resolutions passed by a Legislature not representing the opinions of the people of California. I merely say this now for the purpose of placing myself right on the record."

Here was defiance, and of the very body to whom he owed his position! The creature had become greater than the creator! He took an appeal from the judgment of the Legislature to the great tribunal of the people—the ballot box. And he determined to attend to the case in person, and repaired at once to the arena. He came, he saw, but he conquered not! He dismembered the Democratic party; took off, as he vainly supposed, an army, but which proved to be only a corporal's

guard—allied with the Black Republicans—went to the people on his issue for a verdict, and that verdict repudiated him by a majority of over eight thousand, in a vote of less than eighty thousand. This digression is only to show that he must not be regarded as reflecting the wishes or views of the people of California, but must be allowed to speak only for himself.

During last session he belched forth his gall and bitterness at me in terms and with the fluency of one suddenly and unworthily raised from a fishmarket stall, and said :

"I am well satisfied that this Postmaster has been guilty of malfeasance in office," * * * "but the Postmaster General, and several other gentlemen about Washington, have been trying, in my opinion, to screen him," * * * "I shall be prepared when the name of this officer is sent in for confirmation, to prove that he has been guilty of very bad conduct in office." * * * "He (Goodwin,) has been trying to convince the people of San Francisco, and he has convinced nineteen-twentieths of them, that this officer is not an honest man."

Well, he was entitled to say this much of me, for I have said a great deal worse things of him, and what is more, I believe I have proven their truth, which he cannot do in what he says of me. As to his assertion of the opinion entertained of me by this community, I should much like the opportunity to test the truth of it by an expression through the ballot box. His declarations were received here with nought but ridicule, and I pass them by as the idle wind, only referring the reader to my recommendations, to be found in another portion of this pamphlet. I, but an humble individual, and mere subordinate officer, certainly should thank but lightly of personal abuse from a man who could so desecrate the hall of the Senate, so disrobe himself of the respectability his position threw around him, so infract the proprieties of politeness and decency, and so offend the more refined sensibilities of those around him, as to stand up in his place, in full view of our country, and denounce the venerable statesman, and worthy Chief of our Nation as a '*fading intellect, petulant passion and trembling dotage.*' And such, is his forte, though he now sits in the Councils of the Nation, surrounded by the wisdom and honor of the country as well as by those who bear honorable scars of wounds received in our country's defence, whilst he can only exhibit a scar (upon his very face,) received at the shrine of Bacchus when attempting an exhibition of his shoulder-striking propensities, where he had accidentally fallen into the company of a gentleman;

and who most fluently uses the terms of the slaughter-house, and suggests the cutting off the ears of the Lecomptonites.

In conclusion I ask pardon of the Senate for thus speaking of one of its number, I mean no disrespect to any other one.

REPORT OF POSTMASTER GENERAL.

Page 1000. Transmitted June 10, 1868.

The undersigned, the President of the Senate of the State of New York, respectfully certifies that the following is the report of the Postmaster General of the State of New York, for the year 1867.

The New York Postmaster General, having been appointed by the Governor, has the honor to acknowledge the receipt of the report of the Postmaster General of the State of New York, for the year 1867, and to certify that the same has been received by the Governor, and that the same has been forwarded to the Senate of the State of New York, for their consideration. The report of the Postmaster General, for the year 1867, is a most interesting and valuable document, and it is the duty of the Senate to consider it with care and to report thereon to the Governor.

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It appears that in the spring or summer of 1855, Mr. H. L. Goodwin made repeated attempts, by means of a series of ingenious devices, to cause a large portion of the correspondence of the San Francisco office to be delivered to his care, as the active member of an association styling itself the "Penny Post Company."

In illustration of the process by which he sought to accomplish this result, I refer you to the accompanying copies of letters addressed by the Postmaster to Mr. Marron, 3d Assistant Postmaster General, under date of July 15, 1855, (marked L,) and to the First Assistant Postmaster General, dated November 20th 1857, (marked O).

I also transmit a copy of the reply of the First Assistant Postmaster General to the letter addressed to Mr. Marron, and a copy likewise of his letter to Mr. Goodwin, both under date of 16th August, 1855, (marked respectively M and N.) In this letter of Mr. Goodwin, which bears date July 16, 1855, he inquires as to the legality of the Postmaster's course, as set forth in his (the Postmaster's) letter above referred to, and complains thereof, which appears to be the first complaint on file in regard to this matter.

Defeated in the prosecution of his designs by the course which the Postmaster deemed it his duty to adopt, which course was approved by the Department, he at first sought to obtain redress through various suits at law against the Postmaster. In these, also, it appears he was unsuccessful, although they were a source of great annoyance to the Postmaster, and the Department was subjected to an expense of some twenty-five hundred dollars, counsel fees paid for defending them. Not satisfied, however, he appealed to Congress, and near the close of the session of 1856-7, a resolution was offered, calling for copies of certain papers in the case. This resolution, it is understood, was referred to the Post Office Committee, but no action seems to have been taken upon it.

Soon after I assumed charge of the Department, and whilst his application was still pending before Congress for damages, Mr. Goodwin substantially copied into manuscript and filed in this Department his printed memorial, which he had laid before Congress, and put the same in the form of an affidavit, making in all, with the pretended evidence annexed, some eighty-three foolscap pages, embracing also a printed pamphlet of thirty-six pages. In this memorial he recites all the alleged wrongs inflicted upon him, but did not ask specifically for the removal of the Postmaster. But as I could not infer from his papers any other rational purpose than the removal I entered on the investigation of the whole matter with that view. Upon the most laborious and careful examination, I determined not to go behind the decisions of my predecessor, and attempt to reverse or overrule them on any of the questions of legality or illegality, of the course pursued by the Postmaster; nor to go behind the investigation of the facts and the decision of the law upon them, made by the various civil tribunals in California, before which, Mr. Goodwin himself, had carried his complaints. It was not pretended that the penny post project was still in existence, or that anything had been done, or was in the course of being done by that company since those investigations, and especially since I had taken charge of the Department. It was on these grounds chiefly, that I declined the removal of the Postmaster at San Francisco. The whole controversy had sprung up in the time of my predecessor. He was familiar with the facts, and had seen or known them to have been investigated and passed upon in favor of the Postmaster, by the proper legal tribunals of the country. With all these advantages he had decided the case, and I did not deem it either my right or duty to reverse his decision. Nor did I discover in the course of my investigation that the decision which he made ought to have been reversed, even if the rule and practice on such subjects had allowed of it.

The power of appointing letter carriers is vested, by repeated enactments, in the Postmaster General. The act of March 3, 1825, provides that "letter carriers shall be em-

ployed at such Postoffices as the Postmaster General shall direct." The act of July 2d, 1836, authorizes the Postmaster General to employ letter carriers, "whenever the same may be necessary for the accommodation of the public in any city," and further provides that all receipts by the carriers in any city, "shall, if the Postmaster General so direct, be accounted for to the Postmaster of said city, to constitute a fund for the compensation of said carriers, and to be paid to them in such proportions and manner as the Postmaster General may direct," and that "each of the carriers shall give bond with, sureties, to be approved by the Postmaster General, for the safe custody and delivery of letters, and for the due account and payment of all moneys received by him." In the law of March 3d, 1851, it is enacted that all sums received by carriers "shall be paid into the Postoffice Department," with a proviso that the amount of compensation allowed by the Postmaster General to carriers, shall in no case exceed the amount paid into the Treasury by each town or city, under the provisions of this section."

It is apparent from the above provisions of law, that, in all towns and cities where letter carriers should be employed, it was the intention of Congress that they should be appointed solely by, and be under the control of, the Department. The reasons are obvious. A letter is placed in the mail, and the law makes the Department responsible for its safe delivery to the person addressed; or, in the event of failure so to deliver, to see that it is returned to the Dead Letter Office. Hence, the carriers are required to give bond for the safe custody and delivery of letters, as well as for the due account and payment of all moneys received by them. There is no such security in the case of private carriers. Letters delivered into their hands according to the plan sought to be practiced by Mr. Goodwin, would, from that moment, be out of the jurisdiction of the Department: and if not delivered to their address, where is the obligation to protect them, either by a return to their writers or otherwise? What is to become of such letters, and particularly if containing money and other valuable inclosures? Every year there is returned to the Department, in dead letters, an average of over fifty thousand dollars, nearly all of which, through the care of the Dead Letter Office, ultimately reaches its proper destination. One part of Goodwin's plan, it will be seen, was to prepare and send out for sale official envelopes, with printed directions thereon, that any letters they might contain should come "to the care of the Penny Post Company." Many persons purchasing these envelopes would naturally suppose them to be purely official, and that the Department would have the same care of letters sent in them, as of those sent in the ordinary way. By this plan, large quantities of letters would, no doubt, have fallen into their hands, and from the amount of money received at the Dead Letter Office, it is evident that many of them would contain inclosures of value. What, I repeat, was to become of any such letters that could not be delivered?

Moreover, the law requires that all receipts of the carriers in any city shall the Postmaster General so direct, be accounted for to the Postmaster, to constitute a fund for their compensation, to be paid to them in such proportions and manner as the Postmaster General may direct. If a person by arranging to have letters come to his care, or by procuring a general order from any number of citizens, that their letters should be handed to him for delivery, might be allowed to constitute himself a letter carrier, it would at any time be in the power of an individual, or combination of individuals to prevent the establishment, or break up the letter-carrier system, in any city at their pleasure. The usual carrier's fee is two cents a letter; but some carriers are enabled to earn much more than others, from the fact that some districts are densely populated, while others are only sparsely settled. The receipts of all the carriers in a city being divided equitably among the entire corps, enables the Department to extend the privilege to many in the thinly settled districts that otherwise could not receive this accom-

dation. Suppose a self-constituted carrier go around in the populous districts, offering to carry for one cent, or half a cent a letter, as he might well do in some cities, get the orders of the citizens to bring their letters, is it not apparent that this would tend to defeat the very object of the law in giving the Department the entire control of this matter.

Nor are the above the only reasons why it would be improper to permit the delivery of letters to self-appointed or independent carriers.

The acts of 2d May, 1842, and 1st March, 1847, authorize Postmasters to provide boxes for the accommodation of all who may wish to rent them, the revenue from which, over and above the Postmaster's emoluments of \$2,000 a year, accrues to the Department.

In all the large offices this income goes very far towards defraying the expenses thereof. At San Francisco it has been essential to aid in the employment of the force necessary to transact the business of that office, which is the principal distributing office of the Pacific coast, on whose efficient management the proper administration of the mail service throughout that great region of country very much depends. The effect of Goodwin's plan, carried into successful operation, would have been to break up this box system, and put the money into his own pockets instead of going towards the support of the office. His purpose was to hire one large box, into which he claimed that all the letters coming to the care of the Penny Post company, as well as those to all citizens giving him orders to bring them their letters, should be deposited so that he could receive them immediately on the arrival of the mails. In this way he proposed entering into a competition with the Postmaster for the speedy delivery of letters, and he even applied to the Department to order such mails as might be addressed to his care to be conveyed in separate bags and delivered to him unopened.

In conclusion, I have only to say, that, after the best examination I have been able to make into all the law and facts, bearing on this Penny Post controversy in California, I have not been able to discover that my predecessor's decisions in relation to it, were in any material respect erroneous. On the contrary, I firmly believe that they were substantially correct.

I have the honor to be very respectfully,

Your obedient servant,

[Signed]

AARON V. BROWN.

HON. JOHN C. BRECKENRIDGE,
Vice President of the United States. }

P. S.—I send you herewith a copy of an opinion of the Attorney General, confirmatory of the principles laid down in this communication, received since the above was prepared.

REPORT OF THE AUDITOR.

AUDITOR'S OFFICE, P. O. DEPARTMENT, }
June 17th. 1858. }

HON. A. V. BROWN, Post Master General:

Sir:—In conformity with your request of the 30th ult., I have caused a careful examination to be made of the "Transcripts of Mails Received" at the Postoffice at San Francisco, California, between the 1st of January, 1857, and March 31st, 1858, in order to ascertain if Chas. L. Weller, Esq., Deputy Postmaster thereat, had accounted to the Department for postage collected by him on foreign letters (via Panama) received by him for delivery.

The accompanying statement obtained from the transcripts on file in this office exhibits the fact that he did account for \$1,614 49 in postage on letters received via Panama, which came to him without post bills, and are doubtless the letters referred to in the charge against Mr. Weller.

I have only presented the amounts accounted for within the period named, because I deemed them to be sufficient to refute the charge that Mr. Weller had suppressed the amounts, and applied them to his private uses.

I also submit the "original post-bills" rendered by Mr. Weller to the Department, for the quarters ending 31st December, 1857, and March 31st, 1858—with the exception of those for the letters by the steamer *Sonora*, March 19, 1858, which were not sent to me from the Department—exhibiting the various rates of postage collected by Mr. Weller.

I have the honor to be, very respectfully,

THOMAS M. TATE, Auditor.

OPINION OF ATTORNEY GENERAL.

LIABILITIES OF MAIL CARRIERS.

ATTORNEY GENERAL'S OFFICE, June 3, 1858.

SIR: Your communication on the subject of the letter carriers at Brooklyn was, at first, laid aside for more pressing engagements. But your note of this morning recalls my attention to it, as a question still pending before your department.

The business of carrying letters and other mail matter belongs exclusively to the Government. It ought to be, and must be so, for very obvious reasons, which do not need to be repeated. In every large town, letter carriers to and from the offices are part of the system, as much as the transportation of the mails from one office to another. These carriers are appointed by the Postmaster General; they are required to give bond; they may collect a certain fixed and uniform sum upon each letter, and pay it over to the Postmaster; they act under the supervision of the Department, may be removed if they prove unfaithful, and are subject to special penalties for a violation of duty. To all intents and purposes, they are public officers.

But it seems that a portion of the citizens of Brooklyn, unwilling to be served by the legal carriers, and desirous to appoint one of their own choice, have associated themselves together and given a standing order to the Postmaster that he shall deliver all their letters and papers to a certain person by them designated; that person being one that was heretofore a legal carrier, but discharged from the service. The Postmaster refuses to deliver mail matter agreeably to the order; and the question I am about to advise you upon is, whether you are bound to acquiesce in the arrangement of these gentlemen to substitute their own agent for yours.

It seems to me a palpable effort to evade the law and pervert it from the purposes it was made for. A letter carrier is appointed for the benefit of the whole district he serves, to the end that all who live there may be served alike, with the same regularity, and at the same cost—the distant as well as the near, and those who receive one letter a week as well as those who get a large number every day. If a part of the people can have a carrier of their own, they can break down the system and deprive others of its benefit. You are not authorized to pay the carriers in any city more than the aggregate sum which they collect for their services. If private competition be tolerated, the income may be so reduced that you must discontinue it altogether. In that event, every

man in the city must go or send to the office, whether he will or not, for his own letters, or else submit to be fleeced and neglected at the pleasure of unregulated and irresponsible carriers.

Those citizens who make the demand in question, should remember that they are not required to pay two cents on a letter, and half a cent on a newspaper, merely for the delivery of their own letters and papers, but for the further purpose of accommodating their neighbors also. It is a light tax laid upon them to raise revenue for a beneficent public purpose. They ought to pay it cheerfully, and leave its management where the law puts it—in the hands of the public authorities.

But they insist that no citizen is bound by the law to receive his letters from the public carrier. It is true that any man may direct the Postmaster to retain his mail matter, and he may call for it himself or have it brought away by one whom he authorizes to get it. This provision fits the case of a person who, in good faith, from motives of economy, convenience or interest, prefers that his letters should be delivered at the office to himself, his family, clerk, servant or friend. But that does not prove that a large number may unite themselves to take away the regular business of carrying letters, in whole or in part, from the Government. Any man who has occasion to do so, may send a letter on a mail route by his own special messenger. But it does not follow that the merchants of New York and Philadelphia may, therefore, establish a daily mail on private account between those cities. Two persons may lawfully agree that one shall leave a letter for the other at a private house; but this is not done on any principle which would justify five hundred or a thousand men in appointing a separate Postmaster for themselves, in opposition to the legal officers.

This statute, like others, must be construed according to its spirit, and in such a manner as to carry out its main design. Every true rule of interpretation forbids you to reason from particular and exceptional provisions, so as to defeat its general intent. The great object of the law establishing a system of public letter carriers, was to prevent the extortion and inconvenience which attended the delivery of letters by persons who were not responsible to your department. It would be trifling with the act of Congress to let the same mischief be revived on any pretext whatever.

My opinion, in short, is, that any attempt to have letters carried to and from the Post Office by a private carrier, in a town where a public carrier has been appointed by you, is altogether unlawful; and no device can be invented which will be plausible enough to excuse it. A person who intends to make carrying of letters his regular business, or a part of his business, and do it periodically for hire, in opposition to the public carrier, is legally incapable of receiving authority to take letters out of a Post Office for that purpose, no matter what credentials he may have; whether it be a joint order from all his employers, or a separate order from each one—a permanent and standing order, or an order renewed every day.

I am, very respectfully, yours, &c.,

J. S. BLACK.

Hon. A. V. BROWN, Postmaster General.

REPORT OF THE POSTMASTER GENERAL IN ANSWER TO SENATE RESOLUTION OF JUNE 10, 1858.

POST OFFICE DEPARTMENT, June 12th, 1858.

SIR: I have the honor to acknowledge the receipt of the resolutions of the Senate, adopted on the 10th inst., requesting the Postmaster General to transmit to the Senate

the evidence of alleged violations of law, and malfeasance in office, on the part of the Postmaster of San Francisco, and also the papers accompanying the same, filed in the Post Office Department on or about the 20th of April, 1857; also, all correspondence with J. D. Fry, the Special Agent of the Post Office Department, in regard to any alleged malfeasance on the part of the said Postmaster, etc.

In answer to so much of these resolutions as calls for the evidence of alleged violations of law and malfeasance in office by the Postmaster of San Francisco, I have respectfully to inform the Senate that, if the original papers on file in the Department are desired, it will give me great pleasure to place them at once in the possession of the Senate for such disposition as may be thought necessary and proper. These papers contain all the evidence before the Department on the subject. Many of them have been in possession of, and examined by, the Post Office Committee of the Senate, and all of them have been placed at their disposal for examination, or any other use they might choose to make of them. But if, on the other hand, copies are desired, measures will be taken to have them prepared at the earliest practicable moment; but it is impossible to furnish such copies before the close of the present Session, on account of the very voluminous correspondence in the case, and the great amount of clerical labor required to accomplish it.

With regard to the copies of certain letters specially called for in the resolutions, viz: "Letter from H. L. Goodwin in 1855, and four letters from the same person, dated March 27, June 25, July 18, and July 25, 1857; also, letters of C. L. Weller, dated 1st September, 1855, March 21, 1856, and October 11 and 20, 1857," I would inquire whether it is the intention of the Senate that the Department shall furnish copies of these letters, and omit any answers made to each or any of them, or is it desired that copies of the answers shall accompany them? This inquiry is made because, to furnish letters of complaint to the Department without the answers thereto, would exhibit but one side of the subject, and place the Department evidently in a false position.

In answer to the concluding interrogatory of the first resolution, viz: "Whether there is any information on the files of the Post Office Department showing, or charging, that the investigation ordered to be made by J. D. Fry, was an *ex-parte* investigation?" I have to state that, whether the investigation was *ex-parte* or not, the Department has no means of knowing, except from the report itself. Mr. Goodwin, in some of his voluminous letters, may have made a charge to this effect; but whether such is the fact or not, can only be determined by a perusal of that correspondence, which the limited period within which this report has to be made will not allow of.

With reference to the second resolution, suspending the publication of my report of the 5th of June until the information called for by the first above mentioned resolution is obtained, I embrace occasion to remark that my report referred to was intended to present, and does furnish, a brief but fair statement of this whole case. The real question at issue was, whether H. L. Goodwin could be permitted to set up a private Penny Post in San Francisco, for the receipt and delivery of letters from the Post Office? The Postmaster of San Francisco decided against this project, and the late Postmaster General confirmed this decision, regarding such private Penny Post as not only irregular, but illegal; and Goodwin himself was so repeatedly informed at the time. In my report, the printing of which has been suspended on the mere allegation of Goodwin that the same was pretended and evasive, I have set forth with as much fairness as I knew how, the probable reasons which induced my predecessor to make this decision. The opinion of the Attorney General accompanying my report, I conceive, fully sustains this decision.

I have the honor to be, very respectfully,

Your obedient servant,

[Signed.]

AARON V. BROWN.

HON. JOHN C. BRECKENRIDGE, Vice President of the United States.

POST OFFICE, SAN FRANCISCO, }
15th July, 1865. }

HON. JOHN MARRON:

DEAR SIR:—You will notice by referring to my emolument account for last quarter, that our box rents have again fallen off slightly from the preceding quarter's results. And I am apprehensive of their continuing to decrease, as there seems to be some considerable dissatisfaction in this community about our rates. There is no denying that the rates are high, but I am convinced a reduction cannot be made of the rates which will not cause a reduction in the aggregate receipts. Then, as this is required to be a self-supporting office, what am I to do? I am satisfied I cannot reduce these rates, and make the commissions and emoluments meet the expenses of the office, without a corresponding reduction of the expenses also. There is no item of the expenses which can be cut off unless it be that of office rent, and that is entirely beyond my power. For, although a room is now being fitted up in the new Custom House building to accommodate this office, yet I do not suppose we shall be able to avoid the lease on the present premises, made by my predecessor for four years, say to July, 1859, at \$1,500 per month. If I could get rid of this \$4,500 per quarter, I could reduce box rents, and yet come within the rule of the Department. I should be glad to reduce the rates now charged for boxes, at least one-half, but as I know that would reduce very materially, the aggregate receipts, I cannot hazard the step, without an assurance that a deficit in commissions and emoluments, as compared with expenditures, shall not embarrass the allowance and settlement of my account.

Some two or three months ago this subject of box rents was made the topic for several newspaper articles of an *unmanly* nature—anonymously—over the assumed soubriquet of "Rowland Hill." Upon inquiry, I ascertained the author to be one Henry L. Goodwin, with whom I soon held an interview, and immediately after which he, in the same public manner, retracted all his remarks disparaging of my administration of this office. Then this same individual, conceived the *magnificent* scheme (which he has since been endeavoring to put into operation,) of getting up a "Penny Post Company." He first sought a connection with this office, by means of which he might enjoy peculiar privileges and special facilities (*not granted to any other*) for receiving and delivering letters in advance of everybody else, and even of the office itself. I informed him of the impossibility of any such arrangement, and that his assurances of benefits therein to myself had no allurements to swerve me from the rigid discharge of my duty; that he should have facilities and privileges in common with all others of the community, and equal to those of the most favored.

Not to be discouraged, he rented a lock box, and invented the style of envelope herewith enclosed, marked "No. 1," which when shown me, I urgently objected to, and requested him to have no more like it printed, giving as my reason, that it carried a false impression upon its face, to wit; a connection, officially with my office. Still he went on, and as I am informed, induced a number of our box-holders to throw up their boxes, by assuring them they could obtain their letters

earlier through him, and at a much cheaper price, and representing that I and several of my clerks were interested with him, and therefore every possible facility would be extended to him at this office. Thereupon I conceived it proper to publish a correspondence with certain parties, (which publication I herewith enclose.) in which I have perhaps taken somewhat high grounds, but because an evident attempt to defraud the revenue of this office was being made.

Letters enclosed in envelopes such as No. 1, herewith, I directed to be placed in their appropriate places without regard to the printed matter on the face, in the boxes of the persons addressed, if box-holders, otherwise in the general deliveries, where they could be obtained by any persons entitled to receive them.

He then changed the style of his envelopes to that of the herewith enclosed, marked No. 2. This bore upon its face a most palpable attempt to defraud the revenue of the Post Office Department. He had rented from me a lock-box for which he had paid a sum entitling him to lock-box accommodations for two persons, *and no more*, but sought, by low cunning ingenuity, by dishonorable evasions, by unmanly trickery, to thus force from this office, lock-box accommodations for this entire community, or as many as he might be able to induce to furnish his envelopes to their correspondents. Under ordinary circumstances, and with th no evidences of an attempt to defraud the Post Office revenue, or to embarrass the operations of this office, I would perhaps have allowed letters in envelopes averaging such as No. 2, to have been placed in his box. But otherwise was clearly the fact, and as these envelopes bore upon their face the fact that the "Penny Post Co." had no property in them, but that the other name thereon was the correct address of the persons to whom they actually and of right belonged, I directed the same disposition and manner of delivery of them as in case of No. 1.

Then this Henry L. Goodwin's perverted brain brought forth a small poster, herewith marked "No. 1," which was posted up at the street corners and public places all over the city, he believing that he could thus effect my removal and the appointment of some other person better suited to his purposes.

Now, again he changed the style of his envelopes to that of the herewith enclosed, marked "No. 3." This is to be used for enclosing therein letters for other parties, but as no names appear except that of "Agent Penny Post Co." I am compelled to allow to be placed in his box, though satisfied he is still practising a fraud. When, however, the time expires, for which he has paid box-rent, in advance, then I can decline renting him a box with which to carry on his fraud.

Next in course came the flaming poster, herewith enclosed, marked "No. 2," informing this community of my total annihilation by the agonizing efforts of a mighty intellect—an intellect which had succeeded in evading Post Office Laws and Regulations, and in detracting from the good morals of the community with entire immunity.

Goodwin having amassed considerable money, in a low calling, is now ambitious of rising in the world, and if not to be obtained readily in any other way, he is quite willing to be kicked into notice, and has endeavored to provoke me to that. He has, however, succeeded in forcing me no farther than to give him

my candid opinion that he was a *liar* and *scoundrel*, for which language I am informed, he is about to arraign me before the President, who I imagine will have much spare time to devote to such an affair.

It is some consolation to me, to know, that the same persons and same newspapers that find fault with me are also attacking the Post Office Department, and denouncing the present National Administration. One paper goes so absurdly far as to propose and advocate the entire abolition of the Post Office system. Herewith enclosed, I send you a specimen article on that subject. I also enclose you an article favorable to this office.

It is an undeniable fact, that most excellent service is rendered the public here by our lock-box accommodations. For instance, upon the arrival of a great Atlantic mail, we deliver from eight to ten thousand letters, through the lock-boxes, within the space of about three hours.

I defy Express or Penny Post Companies to excel this, and I know that this community generally are satisfied with our service.

In consequence of the measures I was compelled to adopt regarding Express Companies, in obedience to the instructions of the Postmaster General, I expected a much greater clamor than has really occurred. I expected a large and respectable portion of this community to complain loudly and earnestly at having their letters per Express intercepted and detained, for a time, but I have been agreeably disappointed. By a rigid enforcement of the law, I have made Express Companies contribute largely to the revenue of the Department, and I had expected their influence would stir up much clamor and prejudice against me, and make me to appear obnoxious to this community, but such is not the result.

The "Penny Post Co.," (so styled,) is a new, and I may say, novel thing, a sort of deformity, or offspring of a diseased brain, an invention of a perverted mind, and yet destined, perhaps, from the character of the individual metamorphosing himself into a "Penny Post Co." to give me trouble. I would be glad if I could have special instructions to meet this case, where a man has gone regularly to work to entice, persuade and induce persons to refuse and discontinue to contribute to the Post Office revenue, (but contribute to him for similar accommodations and services,) and by falsehoods and misrepresentations induces divers persons to have their correspondence habitually enclosed in envelopes addressed to him, by means of which an indefinite number of persons may enjoy lock box facilities and yet evade the payment of the legitimate and usual charges. This is indeed the whole gist of this "Penny Post Co."

Very respectfully, your obedient servant,

C. L. WELLER, P. M.

OFFICE OF THE PENNY POST CO. }
San Francisco, 30th Aug. 1855. }

C. L. WELLER, Esq., P. M. :

Sir :—I am informed that you detained a letter for Messrs. Traves & Masse, Marysville, on which only partial postage was paid, because you supposed that the letter came from this office.

I beg leave to correct your misapprehension. No letter for those parties has been sent from this office. Who mailed it we cannot say. The writer, however, did mail a letter weighing one half an ounce, and on which, only three cents was paid. It was addressed to a party in Sacramento, who has received the same, and will return it to this office *unopened*. It will go to Washington by the next steamer, *via Nicaragua*, and along with it, two letters which you did detain because they exceeded two ounces in weight by twenty-two grains, or the weight of four three-cent postage stamps.

Yours,

H. L. GOODWIN, Supt. Penny Post Co.

POST OFFICE, San Francisco, Cal. }
1st September, 1855. }

HON. HORATIO KING, First Ass't P. M. Gen'l:

Sir:—I have received intimation that Mr. H. L. Goodwin, of this place, will probably present for your consideration and decision certain points touching my official conduct, and I desire you shall understand all the facts in the premises:

He has constituted himself a "Penny Post Co.," and arrogates to know more about Postoffice subjects than anybody else in California. If I am not misinformed, he will attempt to arraign me for partiality in the matter of transmitting letters only *partially* prepaid, and will endeavor to show that I entertain a prejudice against him. His conduct towards me has been calculated to excite a personal prejudice against him, but I can produce abundant proof that my personal feelings have not swayed me one iota in the discharge of my official duties.

He dropped in day after day, letters only partially prepaid, which I allowed to go forward, after rating up with the postage due, thinking he may have dropped them in ignorantly. But when I found it was becoming a constant practice with him, and he was professing to know all about rates of postages, and had stated that he had Postoffice balances in his office, I gave him to distinctly understand, that I would thereafter detain all letters dropped in by him, or from his office, upon which the postage was not paid in full. He had, before this, been practicing upon the office traps of all descriptions, and now he discovered a glorious opportunity to catch me. He had a letter mailed of double weight, with only a single rate of postage prepaid, which I forwarded in the mails, not knowing by whom it had been mailed, and supposing it to have been dropped in ignorantly. This letter he will probably send you. It furnishes proof of my exercising the discretion given to Postmasters by your letter of 22d March last, and it proves nothing more.

Then another trap: By very great ingenuity (for which he is characteristic in *small* things), he succeeds in fixing up two letters, which, perhaps, weigh, each, precisely (to a hair,) two ounces, or four rates, *without* the postage stamps attached; but with the postage stamps attached, they carry five rates. They were prepaid by stamps four rate, and, as he had taken great care to let it be known that they came from his office,* I detained them for the balance of postage. If I had allowed them to go forward, he would, undoubtedly, have dropped in more or less every day, letters only partially prepaid. These letters, also, he may probably send you, and present for your serious consideration and decision the very nice and novel question, whether the weight of postage stamps attached to letters in prepayment of postage enters into the weight of the letter in ascertaining the amount of postage, or whether the weight of the postage stamps

should not be deducted from the gross weight! I shall be glad to see a decision of the Department on this nice point, but I wish it distinctly understood, I do not present the point for your consideration. None other than one who has accustomed himself to splitting hairs would ever have thought of the point.

Ever since I declined to have any connection with this fellow Goodwin, he has pursued a determined purpose to annoy me in every possible manner. And one object he has now in view, is to get me displaced, and a man put in my stead who will accept a partnership connection with him. He could thus make a great deal of money for himself, and several hundred dollars per month for the Postmaster here, but the revenues of this office would suffer very much. Indeed, he has already affected the revenue of this office considerably, in the matter of box rents.

He is now anxious to obtain something from the Department, which he may be able to distort into a disapproval of my official conduct—a letter which he could boastfully publish, showing the Department in his favor and against me. He has received one letter from your colleague, the Second Assistant Postmaster General, but such a one as he dare not publish.

H. L. Goodwin is a low, dirty fellow, and has no standing in the community—I am quite certain, if you knew him you would treat him with silent contempt.

For more particulars about him and his business, I beg to refer you to a letter I addressed Hon. John Marron, on 15th July last.

If you answer Mr. Goodwin, I would be glad to be furnished a copy of the letter to him. It is possible he will address Mr. Dundas instead of you. If so, please refer this letter likewise.

Very respectfully,

C. L. WELLER, P. M.

* NOTE.—It will be seen by the preceding letter of Goodwin to me, 30th August, how I learned that the weight of the letter exceeded the amount paid on them by just the weight of the postage stamps. I learned it from his letter, and did not at the time of detaining them know the whole trick, otherwise should probably not have detained them.

POST OFFICE DEPARTMENT, APPOINTMENT OFFICE, November 23, 1855.

SIR: Your letter of 20th October, with inclosure came duly to hand; and I regret, on account of not receiving an earlier answer from New York, I failed to reply by return mail.

There is no question that the printing on the "*New York Tribune*" envelopes in question, subjects the packages therein contained to letter postage.

I inclose a copy of the letter from the Postmaster of New York on the subject.

Respectfully and truly,

HORATIO KING.

CHAS. L. WELLER, Esq., Postmaster, San Francisco, Cal.

P. S. The Postmaster General confirms this decision.

POST OFFICE, NEW YORK, November 22, 1855.

SIR: I beg you will pardon the delay in not answering yours of the 14th sooner. It is true that for the last five California steamers, newspapers have been forwarded inclosed in wrappers similar to the inclosed. That they are subject to letter postage is clear, and I am greatly surprised to find that they were allowed to go forward in that manner.

Respectfully, your obedient servant,

Per M. CALDWELL.

HORATIO KING, First Assistant Postmaster General, Washington, D. C.

[From San Francisco Evening Journal, Dec. 18th, 1855.]

THE PENNY POST *vs.* POSTMASTER.

This cause came on for examination before Commissioner Munro, at 11½ A. M. to-day. Mr. Weller appeared with two counsellors, and after an hour spent in demurring to the affidavit, he finally consented to go into the examination which is now proceeding. Mr Weller said he considered Mr. Goodwin a very shrewd man, or that he had shrewd assistance.

[Card published October 5th, 1855.]

"THE POSTMASTER AND THE PEOPLE."

EDITORS TIMES AND TRANSCRIPT: The *Evening Journal*, of yesterday, contained a card over the signature of "X. Y. Z." charging upon me "partiality or preference in the distribution of letters," and alleging that I "give letters to one or more prominent houses first, and habitually retain letters addressed to others until the last; and that on the arrival of the last steamer, I refused to permit letters for at least two box-holders to be put into their box at all; and this, not because the rent was not paid, but for no apparent reason other than to gratify private malice."

These allegations are gotten up just upon the eve of the departure of the mail, and I suspect it was the intention of the author to make them public at an hour so late as to preclude my denial of them going out to the Atlantic States in the same mail; but I have just sufficient time in which to pronounce the statements, (as I now do,) *most unqualifiedly false in every particular, let them emanate from whatever source they may.*

I can prove the gross falsity of every one of the allegations whenever necessity requires, and failing to do so, I now engage with this community to resign my office, conceiving any one who *could*, under any circumstances, be guilty of the practices alleged in said card totally unfit to occupy the position of Postmaster.

Very respectfully, &c.,

C. L. WELLER, Postmaster.

SAN FRANCISCO, December 17, 1855.

JOHN FERGUSON, ESQ., *Assistant Postmaster:*

SIR: Your letter is received. I think you over value the weight of an article signed "X. Y. Z.," which originally appeared in the *Evening Journal* of this city, early in October last, a copy of which I do not possess; but, from recollection, believe there were three statements or charges made against the Postmaster in this city, i. e.:

First, "That the Postmaster makes it a practice to give letters to one or more prominent houses first";

Second, "To habitually retain letters addressed to others till the last";

Third, "That on the arrival of the last steamer, the Postmaster refused to permit letters for at least two box holders to be put into their boxes at all."

These *three* were, I believe, the charges. I was NOT the AUTHOR of the article; it was brought to me on the morning of steamer day by H. L. Goodwin, of the Penny Post Company, at a time when I was busily engaged with my correspondence for the Atlantic mail, and relying with confidence on Goodwin for the *truth* of the statements made therein, and being thus assured by him, I, without mature thought or reflection, ENDORSED the statements thus made by Goodwin, of the Penny Post Company, and thus gave circulation and credit to the article. I did this, believing it to be true, as Goodwin had, but a few days previously, been *endorsed* to ME by one of our best citizens—a merchant and gentleman of the *very highest standing* in our midst, and in whom I have the *utmost and entire confidence*.

The day following its publication, Mr. Weller came out in the papers *denying* the truth of the statement; I called on Goodwin for the proof; after a few days' delay, he gave me in writing what he called proof, which document I put in my pocket, ready to hand over on demand to parties at interest. No one calling for it, I have carefully re-read the proof, or defense, of Mr. Goodwin, and am free to say that he has, in my judgment, *UTTERLY FAILED* to make out a case that would pass as proof before any justice.

I regret exceedingly the act, as I am fully aware that the *three* charges made and specified in the aforesaid article signed "X. Y. Z.," have *not* been substantiated by my informant, Goodwin—they have *not been sustained by him*. I am, therefore, compelled, by a sense of justice to those immediately concerned, to say, that I have been deceived and thus led unwittingly to endorse a statement unsustained by facts, as promised at the time, to be forthcoming. I can only account for it in Goodwin's over-zealous attempts to establish his *Penny Post Company* in this State.

Respectfully yours,

H. CHANNING BEALS.

[From the San Francisco Sun, Dec. 3d, 1855.]

THE PENNY POST *vs.* THE POSTMASTER OF SAN FRANCISCO.

The examination in this case came off before the Hon. George Pen Johnston, U. S. Commissioner, on Saturday last, at the U. S. Circuit Court Room. The charge of the prosecutor, Goodwin, the proprietor of the Penny Post, was, that letters, to the charge of which the concern under his management was entitled, had been unlawfully detained by the Post Office authorities of this city. Although the whole day was spent in the examination of this case, and although every latitude was allowed by the Court, as well as the opposite party, who so far from shrinking from any responsibility in the premises, courted the fullest examination, not the shadow of a case was made out. A more farci-

cal legal performance we have never before witnessed, and trust we never shall again, for we dislike to see an important legal tribunal the arena for trifling and frivolous contests, under any circumstances. Had it not been for the disposition of the Court and of the party prosecuted to allow the party bringing the suit the fullest privilege to make out his case, if within the reach of possibility, the whole matter would have been dismissed at once, instead of occupying, as it did, a whole day, exhausting the patience of all parties concerned, without the charges being sustained by a single iota of testimony. Even, according to the showing of the witnesses introduced by the prosecution, it appeared in evidence that, so far from being amenable to the charges preferred, it had been the uniform practice of the Post Office authorities here, to grant the Penny Post concern the largest liberty allowed them under the strict rule of the Department at Washington. It was their refusal to allow the latter to abrogate or nullify the rules of the Post Office Department and override the statutory regulations of this most important branch of the Government, that gave rise to this prosecution.

After occupying a whole day with a lengthy and tedious examination, with these results, with every facility allowed for procuring the attendance of witnesses and the broadest latitude in the examination of those present, and signally failing, a continuance was asked for, on the ground, mainly, that the testimony of a colored lady was essential, to give color to the case, which the Court, under the circumstances, very properly refused to grant, reserving a decision in the case until to-day. As the contest between the parties to this suit is one of general public interest, but the real merits of which are not fully understood, it is to be regretted that all interested had not been in attendance and witnessed the result. The duties of the Postmaster of San Francisco are, from the very necessities of the case, more onerous, as they certainly are more thankless, than those of any other city in the Union. The Post Office Department here is a pack horse, upon which a great burden of the sins of omission and commission is thrown. In short, it is rather popular to abuse this institution, which accounts for the prosecutions and persecutions of the officer having the discharge of the laborious, and, by no means pleasant, duties of the Department here, have been made the continued subject of.

The next time the Penny Post man meditates a suit of this character, he should be better posted up in the letter of the law, and sustained in the facts of the case.

TRANSCRIPT FROM JUSTICE'S DOCKET.

PENNY POST COMPANY,	}	<i>Justice's Court.</i>
vs.		<i>Second Township.</i>
C. L. WELLER.		<i>March 8th, 1856.</i>

Complaint filed, claiming \$200 for detention of letters. Summons issued, returnable March 11th, at 8 o'clock, A. M.; returned served personally on defendant by a true copy, this 8th day of March, 1856, by E. Fitzgerald, Deputy Sheriff. March 11th—Parties in Court, by Counsel Rix for Plaintiffs, Bryan for Defendant. Defendant pleads general denial, and denies specially that Plaintiffs are a corporation. Plaintiffs demand a jury

of twelve men. Venire ordered and issued, returnable at 12 o'clock, M., same day. Case continued to the same day and hour, at which time parties in Court by same Counsel. By consent of parties, nine jurors called, accepted and sworn, viz: G. L. Henry, H. Rothbar, R. R. Pierce, H. W. Stein, A. DeWitt, M. Agate, G. Lambert, T. Finerty and A. Dunhard. Plaintiffs offer, in evidence, the articles of incorporation of the Penny Post Company. Defendant objects to the introduction, because its certificate is by the Deputy, and not by the Secretary of State himself; and, also, because the business of the Penny Post Company does not come within the purview of the statute authorizing the formation of incorporations. Overruled. Articles admitted. Defendant excepts. O. Shetter, R. K. Porter, F. Creighton, J. R. Lewis, M. Sheldon, S. Miller, J. Mathews, C. L. Taylor, H. G. Loomis, H. C. Smith and H. K. W. Clark sworn and examined on behalf of Plaintiffs. Trial adjourned to 7 o'clock, P. M., at which time parties appear. Jury called—all present. Herman Shetter sworn and examined for Plaintiffs. Plaintiffs rest their case. John Ferguson and W. W. Armstrong sworn for Defendant. Continued to March 12th, 9 o'clock, A. M.

March 12th, 9 o'clock, A. M.—Parties in Court. Jury called all present. Case argued by Counsel and submitted. Jury retire in charge of a sworn officer at 11½ o'clock, A. M.; and at twenty minutes before 3 o'clock, P. M., the jury return into Court and say they find a verdict for the defendant. Whereupon the Court renders judgment in favor of Defendant, and against Plaintiffs for costs of suit.

Costs of Court.....	\$14 00
Constable.....	4 25
Witness fees.....	4 50
Nine jurors, two days.....	36 00

March 24th—Plaintiffs file bond on appeal. March 25th—Plaintiffs file notice on appeal.

April 12th, 1856—At 5 minutes before 3 o'clock, P. M., Defendant asks for transcript of docket. April 12th, 1856—Plaintiffs, at 3 o'clock, P. M., pay the Justice's, Constable's and costs on Appeal, \$26 75.

STATE OF CALIFORNIA, }
County of San Francisco. }

I certify the above to be a true transcript of my Docket, from the proceedings had by and before me in the above entitled cause.

E. W. SMITH, Justice of the Peace of said Township.

ANSWER IN CASE BEFORE SUPERIOR COURT.

THE PENNY POST COMPANY, } *In the Superior Court*
vs. } *of the City of*
C. L. WELLER. } *San Francisco.*

And now at this day comes Charles L. Weller, the defendant in the above entitled cause, by his Attorney, Calhoun Benham, and for answer to the complaint filed therein against him, denies all and singular, the allegations therein made, and says the same are all and singular untrue. And to the fifth and sixth counts of said complaint, in so far as they seek respectively to make him liable for the alleged negligence and carelessness

And the said defendant says that no letter, newspaper, or other mail matter addressed to the said plaintiff was ever demanded of him in his proper person.

CALHOUN BENHAM, Att'y for Def't.,

[San Francisco Chronicle, 11th July, 1856.]

Penny Post Company vs. C. L. Weller.—In this case the evidence having been concluded and the case argued by Mr. Benham for the defence, and Col. Crocket for the plaintiff, Judge Shattuck charged the jury as follows:

That parties to whom letters were addressed by way of ———— should have them delivered to them, and that no order was necessary or ought to be demanded. That it was

the duty of the Postmaster to adhere to all the rules laid down by the Postoffice Department, and to carry them out for the public benefit. He was expected to facilitate the delivery of letters and papers to the extent of his discretion for the purpose of carrying out these objects. If the jury believed that in any respect he had neglected to use this discretion, either in withholding the letters pointed out in the first eight counts of the complaint, or in the general management as specified in the last count, that would substantiate a case upon which the plaintiff could recover. If they believed that he neglected his official duty by withholding letters or distributing them at the proper time, or had neglected his express or implied obligations as an officer of the Government towards the plaintiff, as a member of the company, or if they believed that there was an understanding between the Postmaster and the plaintiff, upon the faith of which the latter established his office—that he should have such and such facilities—if they believed that there were such an understanding, then there would be an official obligation, a personal and implied obligation, if not contrary to law, within his discretion, that he should carry out the understanding, for a breach of which the plaintiff would be entitled to damages.

The jury would give the evidence such consideration as they thought it was entitled to. It would appear that the Postmaster objected to mail matter going outside of the mails, but did not object to the other part of the enterprise.

If they believed the letters were addressed in a particular way, upon such representations, and were withheld afterwards, that would amount to a responsibility. The principles involved in the case were of great importance, and he had therefore afforded the parties ample time to present the case, and the jury had shown equal patience in its consideration. If they found that the plaintiff had been injured in consequence of official neglect, or of an official understanding not having been kept within discretion and the law, then they would inquire what damages the plaintiff was entitled to; if, on the other hand, they found there was no such responsibility, that there was no neglect, then they would find accordingly.

A juror inquired if the defendant had the discretion, and if he had not done in his discretion all he might have done towards the interests of the plaintiff, whether he would be liable.

Judge Shattuck said the defendant was not to violate the law, or grant privileges, at his own expense or inconvenience. There must be facilities which he could grant, in accordance with the duties and purposes of his office, and if he failed to grant these conveniences, then there would be official neglect. He was not bound to put himself to extra trouble or expense. Anything the defendant could do without incurring extra trouble or expense, for the accommodation of the public, not against the law, he was bound to do.

The jury retired, and in a short time returned into Court, and rendered a verdict for the defendant.

The Court adjourned until Monday morning at 10 o'clock.

[From the San Francisco Globe, March 14th, 1856.]

THE PENNY POST COMPANY AND THE POSTMASTER.

In our notice of this case in yesterday's issue, that which was written five dollar was

printed five hundred—a mistake which frequently occurs in printing, but the effect of which was to convey a very erroneous and perhaps unfavorable impression regarding Mr. Weller, a worthy and gentlemanly man, and a very efficient and accommodating public officer. We regret the mistake the more, from the number and variety of actions that have been instituted against him by this party, and their results, which have subjected him to a vexatious persecution. No charge for illegal or undue detention of letters has been sustained in any of the various Courts which have taken cognizance of the matter, and his conduct thus far has been approved by the General Post Office Department. Mr. Weller's desire to consult public convenience is sufficiently manifest to the inhabitants of this city, from the fact that he keeps the Post Office open beyond the usual official hours when a mail steamer arrives or departs—an accommodation which, we venture to say, is not customary in any large city in the country, or perhaps in the world.

BRADY'S HOTEL, San Jose, }
March 26th, 1866. }

C. L. WELLER, Esq., San Francisco:

SIR:—Not having the pleasure of a personal acquaintance, permit me to introduce myself as a member of the firm of Moore & Folger of San Francisco, making a temporary residence at this place for health and recreation.

My object in addressing you is in reference to the controversy pending between yourself and Mr. Henry L. Goodwin, of the Penny Post Company. Before, however, remarking further, I will state that neither Mr. Goodwin or my partners have the slightest knowledge of my thus addressing you, and would request, that should the ideas contained herein not meet with your approval, you will consider this communication as confidential, and as if never written. I have been absent from the city four weeks, and am not entirely posted as to your and Mr. Goodwin's present relations, but have reason to believe that they are still unsatisfactory and unsettled. In order, if possible, to effect an entire settlement of disputed points, I have concluded to make this communication.

It is my firm conviction that Mr. Goodwin started the Penny Post Company and continued it at first mainly, if not wholly, owing to your encouragement of the project. The business was increasing from day to day, and bid fair to become important and profitable, when restrictions were placed upon its operations, having the effect of alienating public confidence and absolutely ruining the business. I need not inform you, that the consequence has been a heavy pecuniary loss to Mr. Goodwin, to recover which has probably supplied one motive for the efforts he has made to re-establish himself in what he deemed his lawful rights, and in the estimation of the community, as well as the claims for damages against yourself. The first mentioned objects I am now of opinion cannot now be obtained, which I think is concurred in by Mr. Goodwin and his friends, even were all the facilities which it is possible for you to grant, afforded him. It is difficult to regain the confidence of the public, the fact of having once enjoyed and forfeited it, operates strongly against the effort. So it is in the present case, hence the late suit for damages.

In view of these considerations, I wish to ask whether you have any disposition to compromise with Mr. Goodwin *by paying a moderate sum to aid him in reimbursing himself for losses sustained by the operations of the Penny Post Company, and also for the discontinuance of all litigations and as a grand quietus of all disputes and charges.* I will not name any amount, but leave that for future consideration, simply remarking that Mr. Goodwin's loss has been heavy. If above question be favorably entertained by you, and I am apprized of such being the case, I shall be most happy to use my best exertions and also secure those of others who have considerable influence with Mr. Goodwin in bringing about an entire settlement on terms satisfactory to all concerned. I believe I have some influence with Mr. Goodwin, having been intimate with him for nearly six years past—during which time I have found him a warm friend, but most persevering and enterprising in accomplishing purposes once undertaken.

My motive in thus offering my services springs principally from friendship for Mr. Goodwin, and also a desire to bring to an end an unpleasant state of affairs and of feeling. I have not now, and never have had, one dollar of pecuniary interest in the Penny Post Company, neither have the firm of Moore & Folger. As you are aware, Mr. Folger had an interest which was really a nominal one, and he would not participate in the receipts from such a settlement as I have hinted at. I know not whether Mr. Goodwin would approve of my writing this letter. I feel confident, however, that if it be favorably entertained, I can induce him to submit to reasonable terms.

I hope, sir, you will give me credit for candor and a sincere desire to settle the difference existing, even if you cannot approve my suggestions and ideas.

I expect to return to San Francisco on Saturday next, and shall then be happy to render service as above tendered.

I am, sir, yours respectfully,

B. S. HODGSON,

POST OFFICE, SAN FRANCISCO, }
Nov. 20, 1857. }

Hon. HORATIO KING, First Assistant Postmaster General:

SIR: You are no doubt aware that there is in Washington City one Henry L. Goodwin, formerly of this place, who has been sojourning there for the last thirteen months or more; and I suppose it is scarcely necessary for me to inform you that, during that time, he has devoted his, perhaps, entire attention to the one object of effecting my removal from this office; I may say he is perseveringly engaged in an unrelenting persecution of me, commenced in this city more than two years ago, because of my opposition to the illegal operations of a so-called "PENNY POST COMPANY," of which he was the leading spirit. He has, during the past summer, as I learn, been actively engaged in forcing a correspondence with the Department with the view of degrading me personally—of scandalizing the office, and aiding him in getting through Congress a relief bill appropriating for his ben-

elit the sum of twenty-five thousand dollars, *modestly* claimed for damages sustained by reason of my official conduct towards him and his business.

The Postmaster General, having some months since decided not to remove me upon the allegations preferred by Goodwin, I write now upon this subject only that the whole history of the affair may be on record correctly, knowing that he has perverted the truth in the premises.

Early in the Spring of 1855, H. L. Goodwin commenced his operations upon this office by unjust animadversion in the public press. After a short time, however, he suddenly desisted for a period, probably upon the discovery of the mighty "Penny Post" scheme, wherein, to be successful, he could not but better win my favor.

I had several interviews with him, of his seeking, upon the subject of transporting and delivering letters; but no such scheme as met my opposition afterwards was mooted by him at that time. I assured him that such a thing was allowed by the law and Post Office regulations would be given him a free passport transportation and proper delivery of letters. But when he then presented his *quadrangular* scheme, and exhibited to me the style of his printed envelope, I urgently objected thereto; and because, amongst other reasons, it gave, on its face, an appearance of a copartnership arrangement between him and a clerk in the carrying business, obnoxious to our laws and regulations. As, however, he had gone to some expense for printing, etc., I waived my objections until his then present stock of printed envelopes should be exhausted, but with the understanding that no more of the kind should be gotten by him. During the time his first stock of envelopes was being exhausted, many complaints were made to me of his carrying, and divers persons requested me to withhold all their letters from him, whether in his particular style of envelope or not. Besides which, I observed that he had gone systematically to work to effect deterioration of the revenue of this office, by inducing boxholders to vacate their boxes and have their correspondence inclosed in his style of envelope, so as to be consigned to his care. And to this end he resorted to falsehood, in representing that I fully indorsed his scheme and was interested in the results of his business. His scheme, wherein the revenue of the office was affected, was simply this: The rent of a box was, say six dollars for two persons; he rents a box, persuades one hundred boxholders to give up their boxes and have their letters addressed to his care by furnishing their correspondents his particular envelopes, and insists that all such must be placed in his box. The difference is, the sum of the difference between six dollars and three hundred dollars (\$294). Now, as Goodwin was to receive five cents for each letter thus going into his box, the query is, how much of this \$294 taken from the Post Office revenue, went into his pocket, or was saved to those vacating their boxes and employing him? The number of the letters will only solve this problem. The probability is, the scheme effected little or no saving to individuals, but amounted simply to a diversion of their money into the treasury of the so-called "PENNY POST COMPANY," instead of into the Post Office revenue, to be disbursed for expenses of clerks, etc., in keeping up the efficiency of this office.

Another objection I found to the novel scheme was, that when unable to deliver letters received, a notice would be put into my office by this "PENNY POST COMPANY," addressed to the individuals, informing them that their letters could be found at the office of the "PENNY POST," from which much discontent ensued with those who received these notices. With much difficulty persons could understand why they should receive at the Post Office a notice that a letter which came through the United States mails was to be found at another place. And, besides, many notices of undelivered letters never reached the proper persons, and, consequently, dead letters must have accumulated in the hands of the "Penny Post," and were probably appropriated there; at least, were not returned to the Post Office to be dealt with according to law.

All letters once in the Post Office and not delivered to the owners thereof, are entitled to be dealt with agreeably to the provisions of the United States statute in such cases made and provided, so that, if containing valuables, they may go back into the hands of the writers (after exhausting the usual efforts to get them to the parties addressed); or, failing in this, the Government is entitled to the contents. All this the Penny Post scheme entirely defeated and pretermitted. The carriers subscribed no oath—were not amenable to the Post Office regulations—gave no bond, and were totally irresponsible.

Goodwin distributed his peculiar envelopes throughout the State as much as possible; and, wherever he could, he threw them into the hands of unsuspecting and unthinking Postmasters, and thus many were sold in lieu of the *simple* legal envelope of the United States. He thus attempted to have a great number of Postmasters connected with him in this business, by allowing a per centage on their sales of envelopes, and he succeeded to a considerable extent. In this way many letters came to this office, in said envelopes, without the wish of those addressed, and even when enclosed by persons deceived into the belief that it was a regular legitimate Post Office arrangement.

Under all these circumstances, I decided to take upon my office the delivery of these letters, to the owners thereof, except in cases where I should have special directions from the owners otherwise.

I also refused to rent Goodwin a box, after his first quarter expired, except upon condition that he paid the usual rate for each person whose letters should go into his box. This rule was not applied to him exclusively, but in common to all.

Goodwin now recommenced his tirade in the newspapers against me, which he has ever since pertinaciously kept up wherever he could find a paper open to him either from dislike to me, hostility to the Administration or love for him or his money. Finding that newspaper slang would not move me from the path I conceived to be my straight line of duty, he concluded to resort to the Courts to coerce me into a different line of policy.

He commenced suit for \$200 damages for alleged detention of letters, before Justice Bailey, but which, for some cause unknown to me, was discontinued before calling me to answer.

Afterwards he brought suit for the like sum upon the same allegation before

Justice Smith, which went to full and impartial trial 19th October, 1855, and judgment in my favor was the result.

In less than two weeks he instituted another similar suit before the same Justice, which, after a long and tedious trial resulted also in my clear vindication.

I must here digress so far as to say, this was a time when political acrimony and prejudice ran high, and it could not advantage me in the cases above mentioned, as the Justice was a partizan of the Americans (or Know Nothings), and recently been elected in opposition to one of my political party. He was, however, a gentleman, and a just and honest man.

I append hereto (marked A.) a letter of Justice Smith on the subject of the two cases tried before him, which will shew how groundless Goodwin's allegations against me.

He next attempted to procure my indictment by the United States Circuit Court Grand Jury. To this end he most impudently thrust himself upon that body, and annoyed and importuned individual members thereof upon the streets, and at their business places. They peremptorily refused to make a presentment. And yet, even after this Grand Jury had been discharged *en de* by the Court, he endeavored to reassemble them, and actually succeeded in collecting a majority of them together, when he informed the Judge that they were in waiting to receive his charge. This he accomplished the day next after the formal discharge of the Jury, and in disregard of his full knowledge of that fact. He was told by the Judge that the gentlemen he had assembled there were mere private citizens and not jurymen. Was this conduct that of a *sane* man?

Shortly after this he filed an affidavit (full of falsehoods and misrepresentations,) with the United States Commissioner, with a view of the summoning of another Grand Jury in the United States Circuit Court for my indictment. I was required to appear before the Commissioner, and a long and tedious examination was held upon the various allegations trumped up against me. The result was my triumphant vindication by a most cogent and lucid opinion by Commissioner Johnston, in which the following emphatic language is used:

"In conclusion, I must say, that *there does not seem to be any foundation for this prosecution*. After a long and patient investigation, in which greater latitude was allowed in the examination than could be possibly accorded in a mere Court of law, *not one of the charges made against the defendants has been established by the testimony*—indeed the evidence of the witnesses examined in behalf of the United States would of itself *exonerate the defendants of any intent to do an unlawful act* in the discharge of their official duties. Whether, therefore, governed exclusively by the rules of evidence, the technical doctrines of the law, or the dictates of common sense, to which I deem myself amenable in a preliminary investigation, as Commissioner, I am compelled to regard this prosecution as a *malicious attack upon the character and conduct of the public officers accused*, rather than an effort, having for its object the redress of real grievances, or the advancement of public welfare."

I desire to call your special attention to the able legal document as covering nearly all the points of difficulty with the so-called "Penny Post Co." I append it hereto marked B.

During the pendency of the last mentioned case, Goodwin thrust himself upon the Grand Jury, sitting for the county of San Francisco, and freely stated his imaginary grievances, under oath, in order that I might be indicted there. But he as signally failed as in the other cases.

Also, during the pendency of the above case, he made an effort to have a Grand Jury called in the United States District Court, but his application was not regarded.

So that it will be observed that his scheme was, to have three bills of indictment presented against me at the same time in different Courts.

All this failed to move me, and for the second time he reported allegations against me to the Postmaster General,, who referred the same to the Special Agent for the Post Office Department for this State, for full investigation and report. That officer made his report *in extenso*, which you are aware, entirely exculpated me from error or wrong doing in the premises.

Next, Goodwin filed his affidavit with the United States Commissioner for the United States District Court, (Col. Munroe,) which was another effort to procure my indictment. A long, tedious examination ensued, consuming some five days, and I was again honorably acquitted. This case was one in which particularly, every possible effort was made by Goodwin, with the assistance of able counsel, to sustain his allegations, and his own testimony was such, that had he not desisted from his evil purposes at the time he did, I should have prosecuted him for perjury.

Another prosecution was instituted against me upon the following mentioned circumstances: Goodwin would repeatedly obtrude himself into my inner office, where I had frequently forbidden his presence. I had finally to forcibly eject him, and still he would post himself in the doorway where we were at the time taking in a large Atlantic mail of some three hundred bags. I called a police officer and had him taken away. He was so ungentlemanly, unruly and boisterous, that the officer, without any advice or direction from me, put him into the lockup. In this case he sought to hold me responsible for the rough usage he received from the police officer, and, at the instance of his oath, I was called before the Mayor on a charge of assault and battery, but was discharged upon a mere cursory examination. Goodwin also held me to answer in a civil suit for assault and battery, before the Superior Court of the city, for damages laid at FIFTEEN THOUSAND DOLLARS! The cause was tried by a jury of twelve men—eleven of whom were for an unconditional verdict in my favor—one was persistently for nominal damages—they finally agreed upon a verdict of FIVE DOLLARS damages, which according to the rule of law, gave me a judgment against him for the costs in the case, but which the Sheriff has not been able to collect to this day.

At this time he also brought suit, in the same Court, for alleged detention of letters, damages laid at TWENTY THOUSAND DOLLARS—but this was discontinued by him before going to issue.

His final (and desperate) prosecution was brought in the Superior Court for alleged detention of letters, and FIFTEEN THOUSAND DOLLARS damages claimed. For this case he employed as able counsel as there was in the city—Col. J. B. Crockett. A most elaborate trial was had, consuming five entire days—the sympathies

and prejudices (if any) of the Judge all in his favor—not one iota of his official evidence ruled out by the Court, though many numerous exceptions were taken by my counsel—the Jury, twelve honest, intelligent men—his case read and fully summed up, and ten minutes sufficed for the further testimony, and they rendered a verdict in my favor. Goodwin has had printed and widely circulated a pamphlet entitled, “Memorial of the Penny Post Company, praying redress for losses, &c., in which he gives what purports to be the testimony in the last case, but which is a tissue of distortions, misstatements and interpolations. If I had the spare time from the daily current business of my office, I could procure from witnesses quoted, statements of what their testimony was, sufficient to disclose the cloven foot and evil hand, so as to brand this Goodwin villain—to receive the execration of all honest men. But the evil of the thing is past, and I care not to recur to it—it is now with *his* conscience, and no ghost is before me or salutes my vision.

Now think you, if there had been illegality or injustice in my conduct, those pertinacious efforts and dogged perseverance of Goodwin, working of a better cause, would have allowed me to escape the ordeal through which I was taken? I think the facts clearly demonstrate that I have been maliciously persecuted, and at the conclusion of the last suit I determined to enter suit against Goodwin for malicious prosecution. But I was persuaded otherwise by Judge March, who had just tried the last case. He appealed to my sympathies, giving it as his judgment that Goodwin was a *monstrum*, which corresponded with my own opinion long entertained; and upon the Judge's seemingly authoritative assurance that there would be no further prosecutions against me, I consented to drop the whole matter.

But even after all this, Goodwin annoyed me much at my office by petty means a gentleman's thoughts would not suggest. I had yet, several times to eject him from my office—once from my private office, where he knew his presence was not to be tolerated, and upon this occasion he locked my door from the outside, *an immediate executioner in fact he in fact he* the key, and he left upon my door a very insulting card, evidently prepared premeditatedly for the occasion.

All these little annoyances, and a thousand others I have not now the patience to enumerate, were practised upon me and my office by Goodwin and his hirelings, interfering much with the current business of the office, and effecting to some extent the efficiency of the service.

Whilst these malicious prosecutions were going on, one of their objects, and probably their principal, was exposed to me in a letter received from one B. S. Hodgson—evidently an attempt to “black mail” me. I append hereto (marked G.) a copy of this letter. It is necessary I should remark, that this Hodgson, and Moore & Folger and H. L. Goodwin, were all mixed together as one family. Hodgson, (as you will see by his letter,) was one of the house of Moore & Folger; and F. B. Folger, of that firm, was one of the “Penny Post Co.” being one of the original incorporators. With these ramifications, I have no doubt there was a common interest amongst them, and therefore Hodgson's letter proposing the payment by me, of a sum of money, to be stipulated, as a consideration “*for the discontinuance of all litigation, and as a grand quietus of all disputes and charges.*” What sum was required to effect so desirable an end I never knew, as I did not

entertain the proposition for a moment, or so much even as answer the letter. I viewed the whole proceedings of the concern as a determined effort to force from me money it had failed to extract from the pockets of the people in an attempt to subvert the good offices of the postal service; and to maintain a due self-respect, I could not and would not submit to illegal demands.

There were very many points of illegality and subversion of postal laws in this famous Penny Post scheme, so cunningly devised and covertly disguised as not to be readily perceptible to the casual observer, and I believed I saw sufficient of this in it, not only to merit, but *require* my opposition. I have already mentioned some of these points, and will call your attention to others.

Large envelopes with the address, "AGENT PENNY POST. Co.," printed on them were prepared and supplied to persons here to send their correspondents, as well as distributed to as many localities in our State as there could be agents procured to dispose of them, which were intended, or at least suited to contain more than one letter. It was discovered here that a practice was thus growing of enclosing two or more letters for different persons in one envelope, to this so called "Penny Post Co.," upon which but one single rate of postage could be charged. This was a fraud upon the Post Office revenue, and a violation of the 13th section of the act of Congress of 3d of March, 1847, which reads as follows: "It shall not be lawful to deposite in any Post Office to be conveyed in the mail, two or more letters directed to different persons enclosed in the same envelope or packet; and every person so offending, shall forfeit the sum of ten dollars," &c. I append (marked No. 1,) form of large envelope with enclosures.

Coeval with this trick, the attempt was made to evade the provision of statute requiring pre-payment, by dropping into my office letters, to go in the mail, only partially pre-paid. For some time such letters were dispatched agreeably to your instructions in the premises; but when I discovered to my entire satisfaction, that this was intentional on the part of said "Penny Post Co." I then detained all such dropped in by them, also in accordance with your instructions in such cases given. And this fact appeared in the testimony adduced in the examination before Commissioner Johnston as you will observe by the following extract from his opinion.

"It is shown that the defendants did detain certain letters in the Post Office here, while certain other letters, dropped in the office at the same time, were forwarded to, and safely reached their destination, some of the letters so detained were addressed to Postmasters, but were not endorsed "On official business," and it appears on all the letters so detained, *the postage was not fully pre-paid; and it also appears to my entire satisfaction, that this omission to pre-pay the postage was not the result of ignorance or inadvertance on the part of the person depositing said letters in the Post Office, but on the contrary, the omission was made with the knowledge that the postage was not fully paid, and with the design to involve the Postmaster in the present or some similar difficulty.* The postage not being fully paid, if the Postmaster knew, or had good reason to believe (and his previous controversies with, as well as the antecedent conduct of the Penny Post Co., certainly furnished him substantial grounds for the belief,) that, the failure to pay the postage in full was not the result of ignorance, but occurred with a knowledge of the omission and its probable consequences, the Postmaster had a right

under the law, and the instructions of the Department, to detain said letters."

This portion of the scheme is on a par with that of the large envelope suited for enclosing two or more letters, and I have yet to be satisfied, that the object was not the same in both cases, viz: that of securing to his own account, the fractions of weight on the single letter, (and also taking the chances of gaining one whole postage rate,) by enclosing two or more letters for different persons in one envelope. To show you how this worked, as well as to further expose the tricks of this concern, I will illustrate by a statement of one fact: To get up an appearance of business, over which also to boast and fire off paper salutes, Goodwin sent through the mail, from this office to divers offices in the interior of the State, packages of the letters (or sealed circulars,) to be separated and remailed at those offices for this place. In one instance, I now recollect, he mailed here a package (to one address,) containing, as subsequently ascertained, eighty-three letters (or sealed circulars,) for different persons. The postage on the package, weighed and rated as a whole, amounted to \$1.44, but the contents rated singly upon separation, as they came back here in the mail, bore a legal postage of \$2.49, being a difference of \$1.05. I could cite other similar instances, but suppose this will suffice.

Another innovation was in regard to packages of newspapers. Thousands came here from New York addressed to "PENNY POST CO.," in packages of from three to five in a wrapper such as I hereto append (marked D.) clearly in violation of the 3d section of the act of Congress of 30th of August, 1852, which, in regard to mailing newspapers reads as follows:

"There shall be no word or communication printed on the same after its publication, *or upon the cover or wrapper thereof*, except the name and address of the person to whom it is to be sent."

It was my duty to collect upon these papers letter postage, but deceived by Goodwin into the belief that the innovation was the result of ignorance, and that it would be immediately corrected, and actuated too by a spirit of liberality, in view of the dissemination of public intelligence, I allowed the papers to be delivered upon the payment of simple newspaper postage. My liberality in the premises was requited by Goodwin's throwing into my office for remailing, hundreds of the same packages with the addition of an address written thereon, destined to various offices through this State. These I rated up with letter postage and dispatched according to address. Nearly all were returned as "*refused*."

The object of this trick was, as I learned, to have me detain them here, that he might have grounds for a suit against me. It was repeated again and again, and the packages continued to come from New York in the same form, until my letter to you on the subject caused you to bring the matter to the notice of the New York Postmaster.*

To sum up, then, Goodwin has pursued me with a madman's relentless persecution, he has scandalized my office in every possible manner—he has interrupted the business of the office—he has circumvented wholesome regulations of the Department—he has suggested and practiced fraud upon the Post Office revenues

—he has committed malicious mischief time and again—he has falsely represented me and my acts in solemn oath—he has violated the true intent and spirit of the laws of Congress, heretofore referred to, and his whole conduct has been in violation of good morals, as well as law. The same disingenuousness, the same disposition to deceive and falsify, the same determination to annoy, characterized every transaction of his with this office. Justice was unappreciated by him—liberality to him was misapplied—kindness was returned by contumely—good advice of friends was unheeded and but excited him—contempt and non-intercourse only could effect anything with him. He was evidently *non compos mentis*, and the greatest possible forbearance only could tolerate him. Since his departure from here, peace and quietness have reigned—the business of the office has gone along smoothly—the clerks' attention to their appropriate duties has not been distracted by petty annoyances—efficiency has characterized every branch of the service—complaints have died away, and satisfaction is perceptible throughout the whole community.

In conclusion I have to say, I have devoted this epistle to Mr. Goodwin (as the so-called "Penny Post Co.") only because his presumption and impudence have enabled him to force himself into *seeming* importance before the Department, and that the whole facts may be understood.

I have the honor to be very respectfully,

Your obedient servant,

[Signed.]

C. L. WELLER, P. M.

CIRCULAR OF GOODWIN.

OFFICE OF THE PENNY POST CO.

GENTLEMEN:—We mail you this from a neighboring town—a town through which the mail and two expresses pass daily—too small to support an express agency, yet having a post office. Please observe the date of the post-mark, as we wish to demonstrate to you, that your letters can be brought by mail and delivered at your doors by the Penny Post Company with equal promptness and at cheaper rates than charged by the Express Companies; and this, too, notwithstanding the numerous obstacles the Postmaster at San Francisco has thrown in our way, in order to retain the onerous imposition of Box Rents, which nearly equal, if they do not fully exceed ALL the postage collected in your city.

On the subject of Box Rents, allow us to make a suggestion: The first \$500 of each quarter's box rent go to the Postmaster. Every dollar thus paid may be considered by him as an endorsement of his conduct. On the other hand, every dollar that is withheld may also be considered by him as evidence of your disapproval of his conduct.

Yours,

THE "PENNY POST CO."

Per H. L. GOODWIN, Supt.

*See New York Postmaster's letter on page —

OPINION OF COMMISSIONER JOHNSTON IN THE PENNY POST COMPANY CASE.

UNITED STATES OF AMERICA,

VS.

CHAS. L. WELLS & CO. & OS.

This was an examination before the U. S. Commissioner, based upon the affidavit of Henry L. Graham, Postmaster Charles L. Wells, the Post Master at San Francisco, and the other defendants, as to the charges and claims made by them with certain violations of Acts of Congress, regarding and providing for the regulation of the Post Office Department. It appears from the testimony taken upon the examination in this case, that the party making the charges against the defendants is connected with an Express Company in this State, established for the purpose, principally, of conveying letters between certain points in this State, and that said Express Company has been conducting business under the name and style of the "Penny Post Company." It is shown that the defendants, but for the purpose of evading the actual amount, and consequently to obtain an independence of the Post Office Department, and the laws and regulations made for the government of the same.

The first charge set forth in the affidavit above alluded to, is, that certain letters deposited in the Post Office in San Francisco by the Penny Post Company, addressed to persons in various parts of the State, were not paid the postage provided for by law.

It is shown that the defendants did detain certain letters in the Post Office here, while certain other letters, dropped in the Office at the same time, were forwarded to and sent prepaid to their destination. Some of the letters detained were addressed to Post Master Wells, and to certain of his official business, and a statement of the letters so detained by them was as follows: and I believe, upon every entire satisfaction, that this omission to prepay the postage was not the result of ignorance or inadvertence on the part of the person depositing said letters in the Post Office, but on the contrary, it was done with the knowledge that the postage was not fully paid, and with the intent to defraud the Post Master by the payment of the smaller deficiency. The persons not being fully paid, if the Post Master knew, or had good reason to believe, that such persons were guilty of such a proceeding, he would not conduct or be the Post Office, and he would not be guilty of such a proceeding for the belief, that the postage paid, the postage in full was not the result of ignorance, but occurred with the knowledge of the defendant, and its probable consequences, the Post Master had a duty under the law and the instructions of the Department, to detain said letters. The language of the act of Congress of March 3d, 1879, is most explicit on this point. It is as follows: "And upon all letters passing through, or in the mail of the United States, containing such a word to or from a foreign country, the postage, as above specified, shall be prepaid, except upon letters and packages addressed to officers of the Government on official business, which shall be so marked on the envelope." The instructions from the Department modify the law to some extent, and are to this effect: "Letters not paid shall be dispatched, charged with the additional postage due at the proper rates, according to distance, established by said act, except when the omission to pay the correct amount is known to have been intentional, when they should be treated as letters wholly unpaid." Under the circumstances of this case, I am convinced, that so far as this charge is concerned, the Post Master and the other defendants acted consistently with a sense of duty, as well as in obedience to the law and the instructions by which they were to be guided.

The second charge made in said affidavit is, that certain letters arriving at the Post Office in San Francisco, to which said Penny Post Company were legally entitled, were unlawfully detained in said office, and the delivery thereof refused to said Penny Post Company, upon application being made therefor.

The only evidence introduced in behalf of the prosecution, for the purpose of establishing the second charge in the affidavit, was that, some letters delivered "to the agent of the Penny Post Company," with the words printed on the lower edge of the envelope, "Please deliver to A. B. or C. D. care of the Penny Post Company," or "to the Penny Post Company for," or "care of E. F." with printed instructions on the exterior of the letter, (clearly indicating for whom they are intended), were deposited in the boxes of the persons for whom, by their writers, they were actually designed. It is shown by the testimony of persons familiar with the Post Office system, that this method, adopted by the Post Master, of disposing of letters arriving in his office, was a very correct one, and that best calculated to facilitate their earliest receipt without any infringement of the regulations necessary to the good conduct of his office. It was an instance in which the Post Master had the right to exercise his discretion in the premises, and could, without any violation of law, or departure from the path of duty, put a letter thus addressed, into the box of the Penny Post Company, or into that of the person for whom the letter was evidently intended. By the act of Congress of March 3d, 1825, the Post Master General is required to give his assistants, the Post Masters, and all other persons whom he shall employ, or who may be employed in any of the departments of the General Post Office, instructions relative to their duty, and such instructions, not contrary to, or inconsistent with existing laws, must be implicitly obeyed by Post Masters and their subordinates. The instructions of the Post Master General on the subject of the delivery of letters are, that "the persons entitled to letters received by mail, are those whose names are in the address." Again, that the delivery should be either to the person addressed, or according to his order. Thus it will be seen that the Post Master has discretionary power conferred upon him, by instructions from the Post Office Department, sanctioned and authorized by law, in the delivery of letters.

The strongest case; and the only one of any importance, in which it is shown that any delay resulted from the exercise of this discretion on the part of the Post Master of this city, is that, where a letter was addressed in this form "To the Penny Post Company for C. O. Gillingham." This letter was put in the box rented by Gillingham, remained there for more than a day after the agent of the Penny Post Company had applied for all letters addressed to the company, and notwithstanding Gillingham had given a general order that his letters should be delivered to the Penny Post Company. But this individual instance of neglect on the part of the Post Master to regard the order given for the delivery of letters is not sustained by cumulative proof, going to uphold the charge of unlawful detention, and may be justly considered as the result of accident instead of design. Indeed the testimony of Gillingham (the party possessed of the real right of complaint, if any existed) exonerated the defendants from censure, and exculpated

them entirely from the accusation of an intent to unlawfully detain or delay said letter.

In addition it also appears that it was known that the letter was in the box of the person to whom it was addressed, and it is not denied that if it had been called for it would have been delivered. No specific demand was made for it, but on the contrary the agent of the Penny Post Company requested Gilliegham not to call for the letter, but "permit it to remain in the office," as he desired to test the question; and that this was the object to be accomplished, is evident from the fact that the letter contained a note addressed to H. L. Goodwin. It is not shown that any letter in the Post Office ever was specifically demanded and its delivery refused.

The third charge in the complaint has reference to the box system, as adopted in the post office in this city. The Penny Post Company insist that they have a right to take a box in the Post Office, pay the same rent therefor, that one person would have to pay for the same, and receive from that box, letters sent to them for any number of persons. It is shown that each box is charged for in proportion to the number of persons who are entitled to have their letters regularly deposited therein. This rule of charging has been established by the Postmaster in all cases, and the arrangement thus made, not appearing in violation of any law, has received the sanction of the Post Office Department. It has been shown that the rules established for the regulation of these boxes are almost indispensably necessary. Without the receipts derived from this source, the discharge of the duties of the Post Office of this city would be rendered extremely difficult if not wholly impracticable. This revenue is absolutely required to defray the expenses of the office, and to secure the force essential to the accommodation of the public, who receive and transmit letters and papers through the mails. If the Penny Post company or any other association of the kind could, by paying for each box, receive all the letters that come to this office, the necessity of other persons renting boxes, might, and doubtless would be avoided, and the revenue derived from this source, cut off; occasioning as a consequence, such a reduction of the force employed, as would result in serious public inconvenience. If the Postmaster has refused a privilege of this kind to the Penny Post Company, he has not thereby exhibited a disposition to interfere with their business, and a similar application from any other quarter would have been treated in the same way. In this I think the Post Master acted in good faith, and with a correct view of the interests of the service. There is no provision of law requiring Postmaster's to furnish boxes, but since the initiation of the system, laws have been enacted recognizing its existence, it has been repeatedly sanctioned in instructions from the Post Office Department; and I do not deem myself called on now, by the proper exigencies of the case to controvert a system of so many years standing.

The fourth charge in the affidavit is that numerous packages of newspapers to which the Penny Post Company were entitled, were not delivered as speedily as other packages of papers arriving by the same mail, addressed to other parties; and that they were compelled to pay a higher rate of postage for said newspapers, because they were not permitted to see them before delivery. With regard to the first branch of this charge, the testimony shows that the same facilities given to others to obtain the early delivery of their papers were extended to the Penny Post Company, and that no partiality in this respect was shown by the Post Master or his deputies. The lack of foundation for the second branch of this last

accusation, is best disclosed by observing the language of the act of Congress of August 30th, 1852, now in force: "And when the postage upon any newspaper or periodical is paid yearly or quarterly in advance at the office where the said periodical or newspaper is delivered or paid yearly or quarterly in advance at the office where the same is mailed, and evidence of such payment is furnished to the office of delivery, in such manner as the Post Office Department shall, by general regulations, prescribe one-half of said rates only, shall be charged." It will be perceived that the law requires the payment of postage yearly or quarterly in advance, to entitle the recipient of newspapers to the benefit of the half postage clause; and its most liberal construction certainly cannot entitle a party to examine newspapers prior to the payment of postage; otherwise the provision requiring prepayment would be an utter nullity, and everybody could obtain newspapers for half postage: hereby frustrating the only rational object of the law. Therefore, had the largest liberty been extended to the Penny Post Company, there would still exist the same cause of complaint on their part.

The fifth charge in the affidavit was not sustained by an iota of proof, nor, in fact, was any offered. The affiant sought to obtain a continuance, upon his sworn declaration that he could, if time was granted, procure witnesses to sustain it. But as, after being notified several days in advance that witnesses must be present to testify concerning the different charges contained in his affidavit, he had neither furnished the names of such witnesses, nor sought due legal process to compel the attendance of any one of them, a sense of justice towards the defendants, as well as a due regard to the rules of law in the premises, induced me to deny the continuance. Besides, the charge, itself, viz: that the Post Master had received "higher rates of postage than those allowed by law"—based upon the fact that that officer, in occasional instances, because of the scarcity of small change, received and retained a few cents over and above the amount to which he was absolutely entitled for postage, seemed to me too frivolous for serious consideration.

The sixth and last charge, that a certain letter was really opened by some one, at the instigation of a clerk employed in the Post Office, although fully substantiated by the evidence, was so plainly one of those cases where it was necessary to pursue such a course to ascertain for whom the letter was intended, that it could not justify this prosecution. The letter in question was addressed to C. O. Gillingham, and opened at the request of said Post Office clerk by C. A. Gillingham.

In conclusion, I must say, that there does not seem to be any foundation for this prosecution. After a long and patient investigation, in which greater latitude was allowed in the examination than could be possibly accorded in a mere court of law, not one of the charges made against the defendants has been established by the testimony—indeed, the evidence of the witnesses examined in behalf of the United States would of itself acquit the defendants of any intent to do an unlawful act, in the discharge of their official duties. Whether, therefore, governed exclusively by the rules of evidence, the technical doctrine of the law, or the dictates of common sense, to which I deem myself amenable in a preliminary investigation as Commissioner, I am compelled to regard the prosecution as a malevolent attack on the character and conduct of the public officers accused, rather than an effort having for its object the redress of real grievance or the advancement of the public welfare.

My opinion is that the defendants should be discharged.

GEO. PEN JOHNSTON,
U. S. Commissioner.

SAN FRANCISCO, Nov. 17th, 1855.

CHARLES L. WELLER, Esq.

Dear Sir:—Having been compelled to perform the disagreeable duty of hearing and deciding, in an official capacity, two cases—one tried on the 19th ult., the other, the 2d inst,—in which you were discharged by the Penny Post Company, with the “wilful and malicious detention of letters addressed to said company through the P. O. at San Francisco: in compliance with your request, I will state briefly my impressions, derived entirely from the evidence adduced in those cases.

In the latter case, several preliminary objections of a technical character were raised, but the points were reserved, and both cases were ultimately decided purely upon the merits.

In neither case, as I conceive, did the testimony sustain the imputation of misconduct or neglect in the discharge of your official duties, as Postmaster.

On the contrary, it discloses on your part, the exercise of a degree of personal attention and vigilance in the supervision of the affairs of the office, and of energy and ability in the arrangement of its duties, which cannot fail to conduce to the interests of the Government and the convenience of the public. With sentiments of high esteem,

Your obedient servant,

E. W. SMITH.

POST OFFICE, SAN FRANCISCO, Cal., }
11th July, 1855. }

MESSRS. MOORE & FOLGER:

GENTLEMEN:—Your polite note of yesterday's date is received as well also, that of 4th inst., signed by yourselves and others.

I regret that you think you have just cause for complaint against this office, and against me individually. The letter you speak of addressed to Noble & Haskell, I imagine must have been consigned to *your* care, as well as the care of the “Penny Post Company,” and as the clerk had been in the habit of depositing such letters in your box, and having heard no complaint therefrom, he did not change his practice. I am sorry if a delay really occurred, and if I am convinced that the course of my clerk was not consistent and justifiable, I will pay all damages.

You volunteer your opinion, that “my procedure is inconsistent and calculated to impair the efficiency of an organization which you hoped would prove a great public convenience.”

I suppose this to be an allusion to the so-called “Penny Post Company,” and if so, I have only to say, in answer, that, the “Penny Post Co.” are not a legal “organization” by authority of law, and I can have no official connection with them. It is desired (and *you* seem to desire it, whether from a *pecuniary* motive it is not for me to say,) that I shall grant and extend, special and peculiar privileges to this express (or Penny Post) company, to the exclusion of all other Express companies. This, too, without the pale of authority of law and regulations of the Department. Such would be reprehensible conduct indeed, and a subversion of the pure purposes of the Post Office system, and my official head would pay the forfeit, (as it should,) as soon as known at Washington.

It is my desire, and the object of my study to extend to this community all the facilities I consistently can, but they must be extended to the community in common—no special favoritism to any one.

In regard to your charge of my want of courtesy in not more speedily answering your communication under date of 4th inst., I have to say, that letter reached me in a sick bed, where I was confined by severe illness for several days afterwards, and am even now but just able to give the matter a cursory consideration. And besides, I did not think the matter so urgent as to require an immediate answer, to the neglect and prejudice of the legitimate business of my office. However, I am sorry my sickness and consequent delay in answering, has resulted in throwing you into bad temper, when there was too so little occasion for it. My answer will appear in one of the city papers in a day or two, which course I take on account of the number of persons to be addressed, as well as the general interest of the subject to this community.

Your request to be considered hereafter as among those who are *not* box-holders, will be cheerfully complied with when you return to me the key to the box you have heretofore received so much service through.

Very respectfully, your obedient servant,

C. L. WELLER, P. M.

POST OFFICE DEPARTMENT, APPOINTMENT OFFICE, }
December 19, 1855. }

SIR: Enclosed please find the copy of a letter, which, by direction of the Postmaster General, I have this day addressed to H. L. Goodwin, Esq., of San Francisco.

The report of Mr. Fry, Special Agent, with the other papers in the case, was duly submitted to the Postmaster General, whose decision on the subject is thus communicated.

I am, respectfully, &c.,

HORATIO KING,

First Assistant Postmaster General.

CHAS. L. WELLER, Esq., P. M., San Francisco, Cal.

POST OFFICE DEPARTMENT, APPOINTMENT OFFICE, }
December 19th, 1855. }

SIR:—Your letter of the 19th ult, to my address, and that of the 20th, to the Postmaster General, are received. In reply, I am instructed by the Postmaster General to say, that as a general rule, it is expected Postmasters will arrange and manage the details of their respective offices without any direct interference from the Department, taking the laws and standing regulations for their guide.

I am to add, that the Postmaster General regards your course, with reference to the San Francisco office, as very irregular, if not absolutely illegal; and he will sustain the Postmaster in all reasonable measures adopted to discountenance your interference with the operations of that office.

Respectfully, your obedient servant,

HORATIO KING,

First Assistant Postmaster General.

To HENRY L. GOODWIN, Esq., San Francisco, Cal.

POST OFFICE, SAN FRANCISCO, }
24th January, 1856. }

HON. JAMES CAMPBELL, Postmaster General:

Sir:—You are to some extent already informed of the manner in which I have been persecuted with malicious prosecutions, by one H. L. Goodwin, of a so-called Penny Post Company, of this place, for acts of mine, arising in the discharge of my official duties, and I trust you are prepared to readily admit the necessity of my employing an attorney, not only to defend me personally, but also to protect the interests of your Department.

Although I have been compelled to defend four distinct actions, wherein full investigations were had, (besides two attempts to have me indicted,) and in all of which I have been triumphantly vindicated. Yet I have incurred an expenditure for attorney's fees of only \$250. And this I shall have to ask of you the liberty of including in my next account.

Two more cases are now pending in the Superior Court of this city. One is for false imprisonment, wherein \$10,000 damages are claimed. The facts are these: I had notified Goodwin, more than once, that I would not allow him inside my office, within reach of mail matter, during the opening of the mail, and showed him your standing regulations on the subject. He impudently disregarded all this, and would come into the office frequently, but was as often put out, sometimes by my porter, and sometimes by myself. Finally, during the opening and assortment of a great Atlantic mail, he forced his way into the office two or three times, and was each time put out by my porter. I was then called to the door, which had to be kept open for the time being, to get in the mail, and as soon as he saw me he came in again, evidently seeking an assault from me, as a basis for another suit; but I was not to be thrown off my guard, and I took hold of him lightly and led him out. This was repeated two or three times, in as many minutes, I using no violence or force, more than was necessary to get him out. Finding him determined not to stay out, I called a policeman, who took him off to the lock-up, where he was kept some three or four hours, and finally let out on bail. For this he had me up before the Mayor, but I was discharged, upon a mere statement of the facts.

In the other case, he claimed \$8,000 damages for alleged detention of sundry letters, the actual property of other persons. He claimed to be the owner and entitled to the possession of them, simply because of their being in envelopes with the words "Penny Post Co." printed thereon, samples of which have been heretofore sent you.

Under the circumstances, I have deemed it necessary to engage the services of the United States District Attorney, Mr. Inge, who will charge his fees to your Department—promising me that his charge shall be reasonable and liberal. In this I earnestly hope to meet your approbation.

I have the honor to be, very respectfully,

Your obedient servant,

C. L. WELLER, P. M.

POST OFFICE DEPARTMENT, (Appointment Office,) }
March 19th, 1856. }

SIR: Enclosed you will receive a copy of a letter from Mr. J. L. Van Bokkelen, of San Francisco, to the Post Master General.

I shall be happy to hear from you on the subject to which it relates.

Respectfully, your ob't serv't,

HORATIO KING,
First Assistant P. M.

Ch's. L. WELLER, Esq., P. M., San Francisco.

SAN FRANCISCO, }
February 20, 1856. }

TO POST MASTER GENERAL OF U. S.

Sir: I take the liberty of addressing you the following question, if consistent with your duties please answer the same:

Has the Post Master of San Francisco authority from General Government head office, to rent offices in lobby of floor appropriated to P. O. in the Custom House of this city to venders of periodicals and newspapers to the injury of persons owning property in neighborhood?

I ask this question being a property holder in block facing P. O. and my tenants business is injured by the Post Master renting stalls or stands in the new P. O. I ask this question and you will greatly oblige by giving an answer if proper.

Very respectfully,
[Signed] J. L. VAN BOKKELEN,
P. O. Box Lock 493.

POST OFFICE, San Francisco, }
3d May, 1856. }

J. L. VAN BOKKELEN, Esq.,

Sir:—I learn that you have taken the trouble to report to the Postmaster General, a supposed grievance resulting from my acts, and in doing so have said that I have rented stalls or stands in the new Post Office. This is to inform you that you are mistaken, and that you have not truly reported the facts. I have rented no stalls or stands. I simply gave Mr. Leland, (a newspaper dealer) my consent to expose for sale, in the lobby of the Post Office, newspapers and postage stamps, only at the times of the mails going out, and was induced to do this for no other reason than the accommodation of the public. I have received nothing for the privilege, am to receive nothing, expect nothing, will take nothing.

You will not dare to deny that the whole matter amounts simply to my allowing the gentleman I have named, to put into the lobby of this office a movable desk, eight feet long, two feet wide and four feet high, which is furnished with ink, &c., for the public

received the manuscript, he will not be invited, and nothing pending the price, but if he sends the book.

I should be very glad to receive the manuscript of the *Book of the Dead*, but the manuscript is not yet finished, and I cannot send it to you until it is finished, and I cannot send it to you until it is finished.

It is not yet finished, and I cannot send it to you until it is finished, and I cannot send it to you until it is finished.

It is not yet finished, and I cannot send it to you until it is finished, and I cannot send it to you until it is finished.

It is not yet finished, and I cannot send it to you until it is finished, and I cannot send it to you until it is finished.

Respectfully,
J. H. P. H. H. H.

1852, 1853, 1854, 1855.

THE BOOK OF THE DEAD
1852, 1853, 1854, 1855.

THE BOOK OF THE DEAD, 1852, 1853, 1854, 1855.

The book of the dead is a very old book, and it is very interesting to read it. It is a book of the dead, and it is very interesting to read it. It is a book of the dead, and it is very interesting to read it. It is a book of the dead, and it is very interesting to read it.

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papers, postage stamps, &c. The lobby is some 121 feet long by 16 feet wide, and a portion of it can be spared for this purpose without inconveniencing the office, or the public in the least. A counter 12 or 15 feet by 4 feet, put up in the corner adjoining the Special Agents office would by no means operate to the inconvenience of any one. I could obtain I suppose from \$100 to \$200 per month for such a stand, and being allowed to appropriate the amount to expenses of the office, would afford me another clerk for my office, now much needed. Whatever sum should be obtained thus, would be accounted for under oath in my emolument account. I ask this upon the ground solely of accommodation to the public, and increased efficiency of this office.

I have the honor to be your obedient servant,

C. L. WELLER, P. M.

I believe that a newspaper stand erected in the office as suggested by Mr. Weller would contribute to the public convenience, I therefore recommend it.

J. D. FRY.

Special Agent P. O. Department.

POST OFFICE DEPARTMENT, Appointment Office. }
May 30th, 1856. }

SIR: In reply to the proposition contained in your letter of May 5, I have to state that the Post Master General authorizes you to rent a limited portion of the lobby space of your office to be used for the sale of newspapers, &c., provided no inconvenience to the public is caused thereby.

You are also authorized to use the money, so obtained, to procure the services of an additional clerk or clerks.

Respectfully, your obt serv't,

HORATIO KING.

First Assistant P. M. G.

C. L. WELLER, Esq., P. M., San Francisco, California.

POST OFFICE, SAN FRANCISCO. }
11th October, 1857. }

HON. HORATIO KING, FIRST ASSISTANT P. M. GENERAL:

SIR: It is proper I should inform you that I have not had the newspaper stand in the lobby of this office occupied during the last quarter.

The business of the place was constantly falling off so materially, that month after month I was necessitated to reduce the rent until I could no longer obtain a larger sum for it, as I conceived, sufficient to justify me in withstanding the annoyances growing out of the constant grumblings of meddlesome and interested parties. And I hope this may result in relieving you of troublesome, though foolish and malicious, complaints in the matter.

use, and that newspapers are only sold the evening and morning preceding the departure of the mails for New York.

I refused to rent out permanent stands against the advice of the U. S. Postal Agent, the Collectors and others in authority here, and simply because I wished to avoid being troubled with just such complaints as you have made.

If you felt yourself aggrieved by any act of mine, I regret that you did not complain to me in person, and ask reparation at my hands.

If you desire any further information on this subject, I will be pleased to give it you either by personal interview or otherwise.

I hope you will not neglect to do yourself and me the justice of setting yourself right with the Postmaster General, on the mistake you have made.

Respectfully and sincerely,

C. L. WELLER, P. M.

POST OFFICE, SAN FRANCISCO, }
5th May, 1856. }

HON. H. KING, FIRST ASSISTANT P. M. GENERAL :

Sir : I thank you for sending me a copy of J. L. Van Bokkelen's letter to the P. M. General, on the subject of renting stands in the lobby of my office. I am indeed under special obligations to you for this, inasmuch as I was grossly misrepresented by that letter, and the writer denied a portion of it until I exhibited to him the copy you kindly and opportunely sent me.

I enclose you herewith a copy of a note I addressed to him on the subject which brought him immediately to see me. At first he endeavored to explain by saying he was interested in the newspaper business and fearing I *would* rent out stands, and thus encourage competition with him, he wrote to the P. M. General for the purpose of forstalling me in that ; and went so far as to say he had not written that I had rented stands &c. But when I showed him a copy of his letter, he then acknowledged the injustice he had done and promised retraxit and reparation. He has since read to me a letter to the Post Master General, in which he does me justice, but still persists in presenting the question of propriety of renting such stalls, &c.

From the best information I can obtain I am satisfied he *lied* when he said he was a property holder in a building facing Post Office. I believe he is simply interested in the newspaper business. He little thought I would be furnished a copy of his letter, else he would not have made the statements he did.

It is now only left me to pronounce his statements implicating me in wrong doing as false, and to say, as I said to his face, he did not act the gentleman, but acted dishonorably in the matter. My letter to him will give the P. M. General the facts and the whole facts.

The privilege I granted was given to a poor and worthy gentleman, and for which I never required, expected or received any reward or benefit whatever.

And now in continuation of this subject I ask to be authorized to rent out a limited portion of the lobby space of the office, to be used for the sale of news-

papers, postage stamps, &c. The lobby is some 121 feet long by 16 feet wide, and a portion of it can be spared for this purpose without inconveniencing the office, or the public in the least. A counter 12 or 15 feet by 4 feet, put up in the corner adjoining the Special Agents office would by no means operate to the inconvenience of any one. I could obtain I suppose from \$100 to \$200 per month for such a stand, and being allowed to appropriate the amount to expenses of the office, would afford me another clerk for my office, now much needed. Whatever sum should be obtained thus, would be accounted for under oath in my emolument account. I ask this upon the ground solely of accommodation to the public, and increased efficiency of this office.

I have the honor to be your obedient servant,

C. L. WELLER, P. M.

I believe that a newspaper stand erected in the office as suggested by Mr. Weller would contribute to the public convenience, I therefore recommend it.

J. D. FRY,

Special Agent P. O. Department.

POST OFFICE DEPARTMENT, Appointment Office, }
May 30th, 1856. }

SIR: In reply to the proposition contained in your letter of May 5, I have to state that the Post Master General authorizes you to rent a limited portion of the lobby space of your office to be used for the sale of newspapers, &c., provided no inconvenience to the public is caused thereby.

You are also authorized to use the money, so obtained, to procure the services of an additional clerk or clerks.

Respectfully, your obt^d serv^t,

HORATIO KING,

First Assistant P. M. G.

C. L. WELLER, Esq., P. M., San Francisco, California.

POST OFFICE, SAN FRANCISCO, }
11th October, 1857. }

HON. HORATIO KING, FIRST ASSISTANT P. M. GENERAL:

SIR: It is proper I should inform you that I have not had the newspaper stand in the lobby of this office occupied during the last quarter.

The business of the place was constantly falling off so materially, that month after month I was necessitated to reduce the rent until I could no longer obtain a larger sum for it, as I conceived, sufficient to justify me in withstanding the annoyances growing out of the constant grumblings of meddlesome and interested parties. And I hope this may result in relieving you of troublesome, though foolish and malicious, complaints in the matter.

Let me also advise you I reduced my rates of box rents at the commencement of last quarter fifty per cent., which brings them down even below those charged at New York. This gives *universal* satisfaction here, and I am convinced we shall hear no complaints hereafter of high box rents. The result, so far as the office revenue is concerned, is likewise satisfactory, for the increase consequent upon the reduction is about 20 per cent., leaving the actual nett reduction but about 30 per cent. And I am able to get along at this, in the way of making the office support itself, by reason of the expiration of the lease on the old premises, which relieves me of an item of expense of \$2,250 per quarter.

Through Maj. Fry's assistance, we have had letter boxes put upon the mail steamers plying between this and Sacramento and Stockton, so that letters may be deposited in them at the latest moment and will be taken out at this and those offices promptly. I believe this will take much business from the Expresses.

I wish to say a word in regard to letter carrying in this city. I was convinced that business would not for sometime be sufficient to justify the appointment of a person for the special and exclusive purpose. Therefore, I concluded establish the service first by detailing one of the clerks in the office to perform the service until the business should be of such magnitude as to require, or at least justify, the employment of a person or persons exclusively. The facts have proven a correctness of this course. In pursuance of my arrangement, publicly announced at the beginning of last quarter, but twenty-two persons have signified their desire to have their letters carried, and but about thirty letters have been carried, for which I will duly account. So that I have serious doubts of the thing succeeding. I shall, however, in a very few days, make another appeal to the community in the matter and endeavor to get the system into general use.

The interior mails by Sacramento boat I have delivered every night at my office immediately upon arrival (say about 10 P. M.) and they are assorted and put into boxes as well as all letters called for delivered to parties not box holders. This arrangement has also taken much business from the Expresses.

We are so isolated here and so distant from the Department, that I supposed you would like to know these particulars, and for the same reason I would be glad the Post Master General would peruse this.

I have the honor to be your obedient servant,

C. L. WELLER, P. M.

[Published in the City Newspapers, San Francisco.]

POST OFFICE ARRANGEMENTS—TO THE PUBLIC.

I have to inform the community that there is now a letter box upon each of the boats plying between this office and Sacramento and Stockton. Letters deposited in these boxes properly prepaid, will hereafter be promptly taken out immediately upon arrival at this office, and at Sacramento and Stockton, and be treated the same as those in the

bagged mail. Bills of lading not intended to go through the Postoffice, should be unsealed and given into the hands of the clerks of the boats—*not put into the letter boxes.*

I have also to announce, that I am prepared to deliver letters at the residence or business places of all persons who will leave their names and places for that purpose at my office. Letters from the interior of the State will be delivered each morning before the usual business hours. Letters from the Atlantic States will be delivered, if requested, at the earliest practicable moment after the assortment and distribution of the mails. Parties, so desiring, can have their letters from the interior carried to them, and their letters from the Atlantic put into their boxes.

The mails from Sacramento and above are now assorted every night immediately upon arrival, and the office is open half an hour thereafter, for delivery of all letters called for—box or otherwise.

The office at Sacramento is now open at 6 A. M., each day, which will afford an early delivery of letters there.

At Nevada, I am assured letters will be delivered as early as by Expresses. And it is expected similar arrangements will be made at all the larger offices in the State.

So that I feel an assurance that as good service will be done through the United States-Mails as it is possible for the Expresses to do. I hope, therefore, the community will let their correspondence pass through the legitimate channel.

C. L. WELLER, Postmaster.

October 16th, 1857.

POST OFFICE, SAN FRANCISCO, CAL., }
20th October, 1857. }

HON. A. V. BROWN, Postmaster General:

Sir :—Enclosed I send you published Report of Chamber of Commerce of this city, on postal affairs, attached to which is a memorial it is in contemplation to send to you. After the perusal of this report, I think you will agree with me that the gentlemen do not very thoroughly understand what they write about. They say : "The Postmaster has given notice that such of the public as choose may have their letters delivered anywhere within the city, &c., within the rate established by law." Now this, it would seem, were sufficient in that branch, and certainly is all the Department can do ; but in the face of all this, they propose to memorialize you to establish a "City [or penny] Post." Having established letter carrying, is there any other "penny post" known to the law ?

The fact is, one H. L. Goodwin, of whom you have perhaps heard before, has been for two years or more dogging this Chamber of Commerce for a favorable report upon his project for a penny post, and, through his active coadjutor here, has succeeded in wringing out what I now enclose you.

You will also observe, in this report, how far this man Goodwin is disposed to carry his mischief and persecution of this office, in his suggestion to this community to make reclamation of all box-rents heretofore paid at this office.

I enclose for your information a card I published, announcing certain arrangements I have made for the accommodation of this community, and I beg to as-

sure you I shall leave nothing undone which I can do consistent with law and duty.

I have the honor to be your obedient servant,

C. L. WELLER, P. M.

POST OFFICE DEPARTMENT, APPOINTMENT OFFICE, }
September 30th, 1857. }

SIR:—Messrs. Moore & Folger, writing from New York, complain that you have neglected or refused to deliver letters to the parties to whom they are addressed. They state that in one instance, letters addressed to their care, for the commander of a vessel consigned to them, were detained until the vessel had sailed, and then advertised.

Please to explain this matter.

Respectfully, your obedient servant,

HORATIO KING,
First Assistant Postmaster General.

POST OFFICE, San Francisco, Cal., }
20th November, 1857. }

Hon. HORATIO KING, First Assistant Postmaster General :

Sir:—Referring to your letter of 30th September last, calling my attention to the complaint of Messrs. Moore & Folger, I have to say, the allegation is so indefinite as to preclude a thorough investigation into it. It neither gives names or dates. If I were put in possession of the name of the commander of the vessel, or even the date when the circumstance is said to have occurred, I would be capable of giving a positive answer, but I am left entirely without such data. I can say however without the fear of contradiction, that I never "refused" to deliver such letters as stated: and this I defy any man to controvert. As to "*neglect*," it is possible (but in my judgment not very probable,) that some one of My clerks may be guilty. It is not probable that this has occurred in respect to the ship captain's letters, where the consignees were mentioned in the address.

I sent to Mr. Folger (present here.) to obtain more specific information about this matter, but he professed to know nothing at all about it.

I applied to the Marine Reporter here for a list of vessels consigned to Moore & Folger, and he has furnished me with the name and Captains of three, which he says comprises all within the last two years. One of them is the schooner Falmouth, P. H. Cooty, commander, from Acapulco, with hides, &c. I find that a letter was advertised for P. H. Cooty, 7th September, 1856, but it was not addressed to the care of Moore & Folger, or any one else. There was nothing on the exterior of this letter to indicate what vessel, if any, he was attached to, nor that he had consignees,

One of the standing regulations of my office for years back, makes letters of ship captains preferred ones—that is, that they shall at the earliest moment be given to the

consignees whenever known. I have been so particular as to enjoin this again and again upon my clerks, and have every reason to believe it has been faithfully adhered to. Accompanying this I furnish you statements of all my delivery clerks on this point.

Now for a fact intimately connected with this complaint, and which will disclose how the case come to be reported to you. Messrs. Moore & Folger have manifested a deep interest in a certain so-called Penny Post Company, from its inception to the present time. One of that firm (F. B. Folger,) was one of the original corporators of that concern, and I have no doubt the whole firm were interested in it. Goodwin, the god-father to that luckless, deformed institution, has, as you are aware, been for months at Washington city plotting, as he supposes, my ruin, and at his instigation probably, this matter has been reported to you without first calling my attention to it. With my knowledge of the intimate connection of Moore & Folger with H. L. Goodwin, I am compelled to set this allegation down to the account of "*Penny Post Co.*"

I have thus given you the only explanation I am able to with the lights before me, and I regret the indefinite character of the complaint as communicated to me precludes a more satisfactory one. If you deem it important to give me further particulars of the complaint, I will pursue the investigation, and furnish you all the facts.

I have the honor to be,

Very respectfully,

Your obedient servant,

(Signed,)

C. L. WELLER, P. M.

POST OFFICE, SAN FRANCISCO, }
20th Nov., 1857. }

HON. HORATIO KING, FIRST ASSISTANT P. M. GENERAL :

Sir : I have been a delivery clerk at the A, B, C alcove twenty-five months ; during that time cognizant of the rule regarding ship captains' letters, as stated by Mr. Weller, in his letter to the First Assistant P. M. General of 20th Nov. inst., and have endeavored to comply implicitly with said rule.

D. D. MCCLELLAN.

I have been a clerk at the D, E, F, G, H alcove fifteen months, and concur in the above statement as regards the rule and my conduct.

SAML. M. KIEFER.

I have been a clerk three years and over at the I, J, K, L, M alcove, and concur in the above.

H. C. SMITH.

I have been a clerk two years and a half and over at the N, O, P, Q, R, S alcove and concur in the above.

WM. WADHAMS.

I have been a clerk one year and eight months at the T, U, V, W, &c., and concur in the above statement.

JOHN SHORT.

POST OFFICE DEPARTMENT, Appointment Office, }
June 3d, 1857. }

Sir : I am instructed by the Post Master General to inform you that he has

examined the papers presented by Mr. H. L. Goodwin in support of an application for your removal, and has decided to make no change on the evidence now presented.

The same conclusion has been arrived at in regard to the charge against Mr. Ferguson, the chief clerk in your office.

Respectfully,

Your obedient servant.

HORATIO KING,

First Assistant P. M. General.

CHARLES L. WELLER, Esq.,

Post Master, San Francisco, California.

J. F. B. Casas, Jun., of the age of twenty-eight years, and a citizen of the city of San Francisco, California, being duly sworn, made solemn oath as follows:

I am now, and have been since March, 1855, a clerk in charge of the Dead Letter Office at San Francisco, and in the discharge of my duties, it has come within my observation, frequently, that large printed envelopes of a certain Penny Post Company, originated by one H. L. Goodwin, in the year 1855, came through the mails, containing two or more letters, addressed to different persons, on which but one single rate of postage was prepaid: and, also, that a very considerable number of notices, enveloped, and thrown into the Post Office, notifying persons that letters (which had come through the mails) to their address could be found at the office of the "Penny Post Co.," were returned as dead—clerks not being able to deliver. It is my belief, that no dead letters were ever returned to the San Francisco Post Office by said Penny Post Co.

F. B. CASSAS, JR.

Sworn to before me this third day of November, 1858.

E. V. JOICE,

Notary Public.

[SEAL.]

I, William Wadhams, of the age of twenty-seven years, and a citizen of the city of San Francisco, being duly sworn, make solemn oath as follows:

In the month of July, 1855, I then being a clerk in the Post Office of said city, H. L. Goodwin made overtures to me to take a pecuniary interest in the business of a penny post enterprise, which he had started. I did conclude an arrangement with him, by which I was only to put in personal service in and about the Post Office, not interfering with my duties as clerk aforesaid.

When the Postmaster (Mr. Weller) learned of this matter, he discharged me from my position in his office, but some days afterwards reinstated me upon my disconnecting myself entirely from Mr. Goodwin and his business, and upon the assurance that I had acted under the belief, that there was nothing in the matter incompatible with my strict duty as clerk.

WM. WADHAMS.

Sworn to before me this second day of November, 1858.

E. V. JOICE.

Notary Public.

[SEAL.]

POST OFFICE DEPARTMENT, Appointment Office, }
May 2, 1857. }

Sir: Mr. H. L. Goodwin states, that when in conversation with Commissioner Monroe, he "understood him to state most distinctly, that a letter had been submitted to him, purporting to have been received from the Post Office Department by the mail which arrived at San Francisco, January 1, 1856, which letter went to show that the San Francisco Postmaster had acted throughout under the instructions and sanction of the Postmaster General." He also quotes a similar statement from a newspaper.

As the records of this office do not show any letter on the subject to you, of that date, I have to request that you will furnish an explanation of or reply to this statement, to which Mr. Goodwin is ceaselessly calling the attention of the Department.

You will understand, that I do not wish you to go over the whole controversy in your reply to this letter, but simply ask your reply to the statement above made.

Respectfully,

Your obedient servant,

HORATIO KING,

First Assistant P. M. Genl.

POSTMASTER SAN FRANCISCO, Cal.

U. S. COMMISSIONER'S OFFICE, }
SAN FRANCISCO, JUNE 2d, 1857. }

Sir: I have the honor to acknowledge the receipt of your letter of this date, enclosing a letter from the First As't P. M. General, dated May 2d, 1857. In reply I have to state that I have now no recollection of having had a conversation with Mr. H. L. Goodwin as therein stated.

It would be impossible for me to state in detail all the facts which were, as I thought, established after a patient and protracted investigation of several days. But I remember distinctly that a voluminous correspondence between the Post Office Department, and the Post Master at this place, was put in evidence, and from the tenor of that correspondence I come to the conclusion that the Post Master here, had acted with the sanction and approbation of the Department, and hence he could not be prosecuted *criminally*. Here of course my functions as Commissioner ceased.

It is *possible* that *subsequent* to the decision, Mr. Weller may have shown me an additional letter from the Department confirming the view I had taken of the light in which his action was regarded by the Department, and if so, I may have mentioned this to Mr. Goodwin. But if this did occur, I have no recollection of the fact.

Respectfully, your ob't serv't,

[Signed]

JOHN A. MONROE,
U. S. Commissioner.

To JOHN FERGUSON, Esq.,
Assistant P. M. San Francisco.

POST OFFICE DEPARTMENT, Appointment Office, }
February 27th, 1858. }

Sir: You will herewith receive a copy of an affidavit, recently placed on file, containing certain charges which have been referred to the Auditor of this Department for inquiry and investigation.

While calling your attention to this subject, I have to request that you will inform the Department how you make your return of undercharge of postage.

Respectfully, your ob't serv't,

HORATIO KING,
First Assistant P. M.

P. M., San Francisco, Cal.

I, Rufus K. Porter, citizen of the State of California, and for the past seven years connected with the San Francisco Post Office, and up to March 20 last for forty-seven months mailing clerk in said Post Office, do certify and make oath to the following:—

C. L. Weller, Post Master, and John Ferguson, Assistant Post Master, have been guilty of many frauds upon the Department and on the people, most of which are specified and described in my phonographic journal, which not being at hand, I shall only mention those of the darkest hue. The letters and papers from France have, until quite recently, been sent to San Francisco, via England, in the *closed mail*. The bill accompanying said papers and letters, is, as near as I can remember, as follows: "The amount of postage due on the within is credited to U. S. in the regular accounts," showing that all was *prepaid*, for the letters came by the ounce, and therefore must be *all prepaid* or *all unpaid*. I expressed the opinion often that *all* were prepaid, but was not heeded, and every French letter not marked with *red ink*, and many English letters not so marked, were stamped (20) twenty each half ounce, many of the heavy ones often amounting to 80, 100 and even 200 cents. The reason given for charging 20 cents each rate was that said letters came by the West India mail packets, and were opened at Panama by the British Consul, who had letters, &c., in the same bags. At the same time letters from Great Britain with a *red ink* mark were stamped paid, though the weight of all the letters corresponded with the weight mentioned in the bills, which were of the same nature as the others, the only difference being between the London and Liverpool bills.

If merely opening the bag at Panama, which the British Government had brought across the Isthmus at its own expense, rendered it necessary and just to charge Panama rates of postage, then one letter as well as another ought to have been rated up. Last year, in June, I think, about the 8th, French letters began to come by way of New York, with all the rest of the closed mail matter from Great Britain. I mentioned the fact to the Post Master; told him if one letter were stamped paid, all should be, as all came together, and read to him what the

bill contained. I also showed him one of the French letters precisely like those we always rated up as unpaid, with the British stamp in *red ink*. He said he thought by the reading of the bill it was paid, and requested me to show it to the Assistant Post Master, John Ferguson. He looked at the stamp a minute and pronounced it paid. I then told him that just that kind of letter had been always rated up, and told him that at least two or three hundred dollars, monthly, were received at the foreign window for the same letters. I went to the mailing department and told the clerk, who was stamping, that the letters were to be stamped *paid*, instead of 20 each rate. He swore his revenue would be stopped and he would not take in a dollar where he had been taking in scores. He went to see the Post Master, and Mr. Ferguson, the Assistant, came and told me to go on stamping them *as usual*.

I told several of the clerks it was an outrage to charge and collect money on *paid* letters, but nothing more was said to me, though I heard the P. M., Mr. Weller, say, the same day, he *believed* they were paid and would see to it. From that time till March 20th last, all French letters not having a pen mark in *red ink* though having the British stamp *paid* on them were charged 20 cents each $\frac{1}{2}$ oz. Even if it were legal to charge on French letters an account should have been kept of them with the Department, which was never done, as my business was to *rate up* Panama and Way letters. At least three hundred dollars per month were thus fraudulently taken from the pockets of the French population, and no account given to the U. S. P. O. Department. I further certify and make oath to the following, relative to John Ferguson, Assistant P. M. of San Francisco, which shows that \$300 per month salary received by him, does not constitute the full sum he gets hold of. In the spring of 1854, while Assistant P. M., as now, he sent in bids to the P. O. Department for more than thirty routes in California and Oregon, contrary to law; several of his bids were accepted, and one of them, I think between Shasta and Big Bar via Weaverville, was a money making route, as Mr. Fry the U. S. Mail Agent informed me. His bid for carrying the mails between Sacramento and San Francisco for \$15,000 per annum was accepted, but as the Citizens Line was bought out by the California Steam Navigation Co., he found himself in difficulty, as the Co. refused to carry it, even at that price. He offered the President, Maj. Hensley \$10,000 per annum intending to make \$5,000 himself. Maj. Hensley to compromise the matter, agreed to carry it at that price, till a new contract could be made, and agreed to take the contract for four years at \$25,000 per annum, which was the price paid, and is yet. Mr. Ferguson therefore must be a defaulter to Government, as he did not comply with his contract, but he did not throw up the contracts which would pay. Last winter a bill was introduced in the Senate of the U. S. by Hon. John B. Weller, asking \$40,000 for the relief of John Ferguson which is just the sum he was defaulter in, by not complying with the laws of the Department relative to contracts.

Subscribed and sworn to before me this 21st day of September, A. D. 1857, James Nichols, Justice of the Peace in and for San Diego county and township, California.

RUFUS K. PORTER.

POST OFFICE, SAN FRANCISCO, 4th April, 1858.

HON. HORATIO KING, First Assistant Postmaster General :

Sir :—I have received from you a copy of certain allegations made by one Rufus K. Porter against me, regarding certain practices of this office. If the individual were well known by you, and his actuating motives well understood at the Department, I should not deem it necessary to make an answer ; but the depraved and guilty may make his writing reflect an apparent honest heart to strangers, until truth unmasks the deception.

I deny, *in toto*, every and single, the allegations as to my knowledge of any wrong practices in the premises alleged. Nor do I believe there were any ; but if, by possibility, there were, Porter is the guilty party, without any wish upon my part, or directions from me to that end.

Upon coming into this office, in 1854, I found R. K. Porter holding the position of mailing clerk, where I continued him until he was discharged, in March, 1857.

At the time I came into this office, Porter was enjoying the privilege of selecting out, and delivering, outside the office, letters for a large number of persons, from whom he received twenty-five cents per letter. I immediately cut off this practice, which deprived him of considerable revenue, gained me his ill will, and made him particularly hostile to my assistant, Mr. Ferguson, who had been instrumental in bringing about my decision, by promptly furnishing me information of the practice. He had been in the habit of neglecting his legitimate duties, as well as interfering with the business of other clerks, by leaving his own work, to go and select out the letters as I have stated, and I could not tolerate such irregularities. He had all the capabilities (if uninfluenced by dishonest motives) of a good and efficient clerk, and he having much experience, too, I was loth to put a new clerk in his stead. I very soon added \$25 per month to his salary, as a salve to his feelings, and encouragement to do well. I have recently learned that, during the two years and over, that he was under me, he kept phonographic memoranda of little transactions in the office, which he considered erroneous, irregular, or mal-practice. Thus storing up food for his revenge in the event that I should "dare to remove" him.

He infused into other clerks a spirit of disobedience and disorganization which greatly effected the efficiency of my office. He committed many errors, some of them serious, and I am not sure but many by design. It was thought he accumulated property faster than simply his salary enabled him to. The suspicion was forced upon my mind, that he took advantage of his position, and the opportunity which money letters passing through his hands gave him, of adding to his pecuniary gains otherwise than by his mere salary. He always asseverated to me his true Democracy, but when discharged declared he had been a Republican all the while. All these things broke in upon my mind suddenly and convincingly, and then the only wonder with me was that I had not discovered his true character sooner. After going out of the office, he attempted to corrupt some of his former fellow-clerks, to aid his foul practices against me and my office ; but instead of his succeeding, they addressed him a tart letter, a copy of which I at-

tach hereto, marked No. 1, to show you the estimation in which he is held by those who know him best. In that letter, you will find quoted a remark made by Charles Moore, son and assistant to Jacob B. Moore, former Postmaster at this place, and under whom Porter served as a clerk, which will show the character Porter then bore. This much for the man, and now for his charges.

The only French letters rated up, and the postage charged here, were such as had been forwarded to Panama and there re-mailed by the consul to this point. These were mostly addressed to persons in the French squadron, and consigned to the Consul at Panama, who was supposed to better know the whereabouts of the different vessels. To the best of my knowledge, no letters entered in accompanying bills, and marked with red ink, were ever rated up and postage thereon collected here.

Porter's detail of an interview with me is, in the main, a fabrication. I recollect his once hinting to me that a different practice, from that which I had directed to be observed, would add to my revenue, and he seemed surprised that I should prefer rigid honesty to pecuniary advantage. In refutation to Mr. Porter's allegation I refer you to the affidavit of my foreign delivery clerk, accompanying this, marked No. 2, Thos. C. McCallan. Mr. McCallan is, without doubt, the clerk to whom Porter refers in saying "He swore his revenue would be stopped, and he would not take in a dollar, when he had been taking in scores;" which you will observe Mr. McCallan has no recollection of. If Mr. Porter's allegations were true, it is next to impossible, that there should not have been many and loud complaints by the French portion of this community and yet the foreign clerk makes oath to not having heard any complaints.

I have had no reason whatever for believing, that any dissatisfaction prevailed with our French population in the premises of Porter's allegations, and on the contrary I have time and again been assured by persons who had abundant facilities for knowing the fact, that most perfect satisfaction obtained with them.

I ask to refer you to an article in the accompanying newspaper, the French organ here, which I am assured correctly reflects the feelings of Frenchmen here towards me and my office.

I also refer you to the accompanying affidavit of my Assistant, John Ferguson, marked No. 3* in further refutation of Porter's allegations. Mr. Ferguson is well known to you personally and to many others in your Department, and I am sure not a word of his, will for a moment be doubted. His affidavit certainly fixes the falsehood upon Mr. Porter, and I think irrefutably.

As to the matters alleged against Mr. Ferguson, I know, myself, that much of what Mr. Porter says is false, but as all that is true touching the transactions referred to transpired before I became Post Master, I might as well volunteer nothing on the subject. I will, however, beg to say that Mr. Ferguson's misfortune of bidding on the Sacramento mail route and not being able by untoward circumstances to perform the service, saved your Department the nice sum of \$60,000, in four years, that being the sum of the difference between the amount

* The original of Mr. Ferguson's affidavit is on file in the Post Office Department, Washington, and I regret I have not a copy, and have not been able to obtain one in time for this publication.

originally bid by the California Steam Navigation Company and the amount at which they finally took the service, and which was the result of the delay and embarrassment occasioned by Mr. Ferguson's bidding. In this matter, he is certainly entitled, on the score of equity and justice, to be relieved from all liability in the premises, and if the present Post Master General agrees with the opinion of his predecessor, I have no doubt that relief will be extended at this session of Congress.

Mr. Porter has been for some time, and is now in Mexico, but may venture to return here at some future period, and I have an opportunity to bring out all the facts in a court of justice, and, therefore, I have to ask of you a certified copy of his affidavit under the seal of the Department.

In conclusion, I have to say, in answer to your inquiry, it has been the custom at this office to correct the letter bills in the matter of under charges, at the moment, and enter them, as they stand after the correction, in the account of mails received. I find this practice was established before my coming into the office, and continued since, as the most convenient, without my attention having been called to it.

I suppose this plan was adopted to simplify and facilitate the work of the register clerk, whose duties are onerous. If this be not entirely satisfactory to the Department, of course any direction you may give will be rigidly followed.

I have the honor to be,

Very respectfully,

Your obedient servant,

C. L. WELLER, P. M.

SAN FRANCISCO, California, }
April 3d, 1858. }

To HORATIO KINO, Esq.:

Sir: My attention having been directed to a written specification of charges made against the Post Master and the Deputy Post Master of the Post Office at San Francisco, over the signature of Rufus K. Porter, and having been delivery clerk of the French and Spanish department for the last three years in the aforesaid Post Office, I deem it my duty to make a brief statement in reference to the charge made in said specification, of illegal postage having been collected on French letters arriving here in the British closed mails.

All letters from France, via New York and Boston, always come to hand duly rated; no extra charges have ever been made on these letters by me.

That portion of the mail from France arriving here in a small linen bag via Panama, was rated at 20 cents per half ounce, on account of its being customary for the French Consul at that port to open the bag, for the purpose of obtaining his own correspondence, and re-mailing the remainder.

I have never heard any complaint of postage being charged where it was not

due by any of the numerous persons to whom for so long a time I have been delivering letters at the foreign delivery. Should any illegal charges have been made, there surely would have been some formal complaint made long ere this by foreign residents in this city, a large number of whom are engaged in extensive commercial transactions, and to whom postage on mail matter forms no inconsiderable item of their expenses.

In reference to the remark embodied in said charges, asserted to have been made use of by the clerk engaged in stamping the lettere—"He swore his revenue would be stopped and he would not take a dollar where he had been taking twenty"—I have no recollection of making the remark, and the improbability of my having made it is very apparent when I solemnly and truly affirm that during the whole time I have been employed in the San Francisco Post Office I have never received, directly or indirectly, one dollar more than my regular monthly pay as delivery clerk.

I remain, very respectfully,
Your obedient servant,

THOS. C. MCCALLAN,
Clerk Foreign Delivery,
Post Office, San Francisco.

Subscribed and sworn to before me, this 3d day of April, A. D. 1858'

SAML. HERMANN,
Notary Public.

[SEAL.]

LETTER ADDRESSED BY CLERKS OF THE POST OFFICE TO R. K. PORTER.

R. K. PORTER:

SIR:—We notice your letter of the 17th instant, and its contents. Of one thing you may be assured, and that is that more than one of your associates, and some, too, who, like the one you refer to, visited your family, will do so no more.

We are now aware of your perfidious course; and, although heretofore advised of Charles Moore's expression that you were "*as treacherous as hell*," at one time supposed he might have had personal reasons for his opinion, and continued to repose more or less confidence in you and until our own senses were convinced.

Your course is properly understood by those you attempted to use for your malicious purposes; they, conscious of your former relations, could not lend themselves to be the instruments of a man incapable of his own duty and obligations; and, consequently, your cowardly attack from your Mexican retreat beyond the jurisdiction of the laws of the United States, and disregard of honorable sentiment being fully understood, you have been singularly successful in stultifying yourself. We congratulate you on this success. It shows that God is just and Mahomet is his prophet, or that like causes produce like results

everywhere, and that no man can violate all the sentiments of honor and disregard social relations without meeting its reward.

We know that you, Mr. Porter, built more houses than any one similarly employed around you. Where did the funds come from?

For what were you relieved of handling certain money packages over a year ago? And why is it that since that period losses have ceased?

The moment you were dismissed you started on a trading voyage. Whence did you derive funds to purchase vessel and cargo?

With what funds are you now sustained? And why your boast that you had laid up a "*nice sum for a rainy day?*"

We doubt not the truth of your last utterance on the money point. You did put away a nice sum for a rainy day and a plentiful supply for other than the rainy ones too.

With the consciousness that your efforts, all of them, will recoil upon your own head, we leave you in your retreat from civilization and home among savages.

SEVERAL CLERKS.

POST OFFICE, San Francisco, }
4th June, 1858.

Hon. HORATIO KING, First Assistant Postmaster General:

SIR:—Your letter of May 3d, has been received, and the directions therein regarding undercharges, shall be rigidly observed.

In compliance with your request I herewith enclose you five post bills to illustrate the manner heretofore of correcting the same. They are, excepting one, the original bills as received and corrected at this office. No. 1 is a bill from Cathlamet, Washington Territory of 3d May, '58, showing an undercharge of 69 cents; No. 2 is a bill from Scottsburg, 21st May, Oregon Territory, showing an undercharge and correction of 9 cents; No. 3 is bill from Clovendale, May 12th, which originally called for 9 cents stamps and 7 free, but corrected by mailing clerk in adding six unpaid letters, amounting to 42 cents, and reducing free letters from 7 to 1; No. 4 is a post-bill made up by mailing clerk for 12 letters paid by stamps received from Teekalet April 24th, as no Post-bill was found accompanying them. No. 5, is bill from Scottsburg, Oregon Territory, 19th April, in which there is a correction of overcharge of 38 cents unpaid, the same being for distribution instead of city.

I trust these are sufficient to exhibit the practice of which I spake in my letter under date 4th April last. As I said then, I am aware this practice does not comport exactly with the regulations of the Department, but as the result was all the same, there was certainly no criminality in it. As this practice existed when I came into office, I naturally suppose it agreeable to the Department, and its being so unimportant, in view of its not effecting the result, my attention was not specially called to it. This detail being more immediately under the supervision of my late Assistant, Mr. Ferguson, who is now in your city. I respectfully refer you to him for any further information you may desire regarding it.

My mailing clerk informs me that, although he has but little doubt that corrected

post-bills similar to these enclosed, will be found amongst those belonging to the March Quarter, yet it is impossible for him to recollect distinctly. Indeed the matter is so small and of so seldom occurrence that I could scarcely expect him to have charged his memory with it without a question having been raised.

I have the honor to be your obedient servant.

C. L. WELLER, P. M.

Post Office, San Francisco, }
15th July, 1858, }

THOS. M. TATE, Esq., Auditor Post Office Department:

SIR:—I have now further to answer your letter of 3d ultimo regarding the item of my account, of "missent, forwarded," &c., for March Quarter, 1858. As "satisfactory evidence," (other than my oath of office,) which you have been pleased to require. I herewith furnish you abstract of letters "forwarded and missent," during Quarter ending 31st March last, showing the offices of final destination, the date of sending said amount of unpaid postages. This abstract comprises 124 different offices, making 332 items, varying from one cent to ninety-two cents,

I have only, in addition, to refer you, in support of the correctness of the abstracts, to the post-bills sent at the dates named, which are, or ought to be now in your office.

I shall be pleased to receive reply from you as to whether you are entirely satisfied. Goodwin, Porter, Broderick and the whole kindred kennel are at liberty, as far as I am concerned, to scrutinize my whole account, and I promise you entire satisfaction of the correctness of each and every item.

I am very respectfully, your obedient servant,

C. L. WELLER, P. M.

A QUARTERLY STATEMENT

Of undercharged postages received at the Post Office at San Francisco, California, from August 24th, 1854, to September 30th, 1858, which was entered in the "account of mails received," under the heading of "unpaid letters, &c.," but which should have been entered in the column of undercharged.

what Qr'tr	Where From,	Amount.	what Qr'tr	Where From.	Amount.
1854		Dols. Ct	1856		Dols. Ct
Sept.	British packet office Panama	94 72	Dec.	Br. pkt office Panama,.....	238 49
"	American Consul ".....	77 16	"	Acapulco,.....	28 80
"	" " Acapulco,.....	1 90	"	Mail Agent,.....	29 87
"	Mail Agent,.....	3 60	"	American consul Panama..	71 22
Dec.	Australia via. Panama,.....	25 20	"	Australia via Panama,.....	44 40
"	British packet office Panama	1,093 22	1857		
"	American Consul ".....	132 15	M'rch	Acapulco,.....	27 60
"	" " Acapulco,.....	3 40	"	Mail Agent,.....	32 31
"	Mail Agent,.....	23 49	"	Br. pkt office Panama,.....	204 72
1855			"	Australia via Panama,.....	47 20
M'rch	Mail Agent,.....	23 30	"	American consul ".....	61 83
"	American consul Panama..	130 91	June	Br. pkt office, ".....	170 58
"	Br. pkt. office ".....	323 90	"	Australia via ".....	48 40
"	Australia Via ".....	4 20	"	American consul ".....	120 39
"	Acapulco,.....	1 80	"	Mail Agent,.....	52 41
June	Mail Agent,.....	34 99	"	Acapulco,.....	13 70
"	Br. pkt. office Panama,.....	258 28	Sept.	Mail steamer,.....	40 27
"	American Consul Panama..	147 21	"	American consul Panama,...	88 01
"	Acapulco,.....	1 97	"	Australia via ".....	19 40
Sept.	Br. pkt. office Panama,.....	187 32	"	Br. pkt office ".....	101 00
"	American consul Panama,...	97 15	"	Acapulco,.....	20 77
"	Acapulco.....	4 70	Dec.	Australia via Panama,.....	51 80
"	Mail Agent,.....	10 84	"	Br. pkt office ".....	163 00
"	Australia via Panama,.....	2 80	"	American consul ".....	68 41
Dec.	American consul Panama..	142 58	"	Acapulco,.....	6 10
"	Br. pkt office ".....	236 56	"	Mail steamer,.....	87 54
"	Acapulco,.....	12 80	1858		
"	Mail Agent,.....	13 44	M'rch	Australia via Panama,.....	24 48
"	Australia via Panama,.....	37 10	"	Acapulco,.....	1 80
1856			"	American consul Panama,...	134 27
M'rch	Mail Agent,.....	33 61	"	Br. pkt office ".....	102 20
"	Br. pkt office Panama,.....	312 64	"	Mail steamer,.....	89 72
"	American consul ".....	107 80	June	American consul Panama,...	79 57
"	Acapulco,.....	17 24	"	Mail steamer,.....	52 25
June	Acapulco,.....	23 20	"	West Indies,.....	42 60
"	Br. pkt office Panama,.....	193 32	"	Br. pkt office Panama,.....	97 10
"	Mail Agent,.....	40 44	"	Acapulco,.....	3 60
"	American consul Panama,...	99 63	Sept.	West Indies,.....	34 00
"	Australia via Panama,.....	8 80	"	Acapulco,.....	2 80
Sept.	Br. pkt office ".....	256 72	"	American consul Panama,...	701 74
"	American consul Panama,...	122 62	"	Br. pkt. office Panama,.....	120 40
"	Acapulco,.....	26 10	"	Mail steamer,.....	55 39
"	Mail Agent,.....	28 53	"		00 00
.....	Total,.....	4,397 34			2,780 19
					4,397 34
					7,177 53

Post Office, San Francisco, Cal., }
November 5, 1858. }

LOUIS McLANE, Esq.,
Superintendent Wells, Fargo & Co.,

Present.

Sir: Will you do me the favor to furnish me a statement showing the number of U. S. stamped envelopes, of each kind distinct, (3 cents, 6 cents, and 10 cents,) purchased at my office for the letter-carrying business of your Express, from Feb. 1, 1855, to date and showing, also, the amount of money paid me for the same.

Very respectfully,

Your obedient servant,

(Signed,)

C. L. WELLER, P. M.

SAN FRANCISCO, Nov. 11, 1858.

C. L. WELLER, Esq.,
Postmaster San Francisco.

Dear Sir: Enclosed find statement as requested in your favor of the 5th instant. We have purchased a large amount of stamps, at different times, but one lot of which are included in the enclosed statement.

Yours, truly,

LOUIS McLANE,
General Agent W. F. & Co.

STATEMENT.

2,642,000	3-cent envelopes.....	\$88,888 00
9,500	6-cent..... do.....	598 80
84,000	10-cent..... do.....	8,566 00
2,735,500.....		\$98,052 80

SAN FRANCISCO, Cal., March 18, 1858.

Hon. A. V. BROWN,
Postmaster General.

Sir: I have been informed that the friends of Mr. C. L. Weller, Postmaster at this city, are about to forward to you an application asking his re-appointment for the next official term.

Although that branch of the public service has not been within the range of my investigations as an agent of the Government on this coast, and my position would render it improper for me to volunteer any recommendations having reference to appointments, I can scarcely refuse the request of influential gentlemen here, to state what I personally know of the character and qualifications of Mr. Weller. The Post Office has been in the Custom House building for more than two years, during which time I have had almost daily occasion to witness the manner in which the business of the office has been discharged. In the fitting up and arrangement of the office, Mr. Weller made many important improvements upon the old plans, and thoroughly re-organized the

system of distribution and delivery. The extreme promptness and accuracy manifest in all the details, and the great conveniences established for the benefit of the public, are matters of general notice and commendation. It would be difficult to find, in any part of the Union, a Post Office in which deliveries are so promptly made—the entire Atlantic mail being frequently in the hands of the public in a few hours after its arrival. The community seem to be better satisfied with the management of this office within the past two years than they have ever been, and this is no small triumph; for no public officer on this coast has had a greater number of difficulties to encounter than Mr. Weller, in his endeavors to protect the public as well as the Department, from the schemes and misrepresentations of certain private companies.

As a faithful Democrat and honorable gentleman, the character of Mr. Weller is beyond reproach; and I believe him to be, in all respects, worthy your most favorable consideration.

Very respectfully,

Your obedient servant,

J. ROSS BROWNE,

Special Agent Treasury Department.

SAN FRANCISCO, }
April 2, 1858. }

HON. A. V. BROWN, POST MASTER GENERAL,

WASHINGTON, D. C.

Sir: The peculiar circumstances attending the service on this coast, renders as you are aware, a faithful and efficient management of the office at this place of the greatest importance to its success. Being the distribution office for the entire coast, having thrown upon it a very large amount of matter at once by the semi-monthly arrival of the Atlantic mails, to be delivered and despatched, requires great labor and care, and only such as experience can bestow, to do correctly—superadded to this, the office is charged with the sale of a large amount of Government stamps, and also, keeping accounts with Post Masters and mail contractors, and collections and disbursements, and with duties pertaining to the Dead Letter Office, rendering it one of great labor and responsibility.

Being familiar with its management under the direction of the present incumbent Mr. Weller I have no hesitation in saying that no one could be more devoted and faithful in the discharge of his duties than he is.

I am satisfied that with his experience and business qualifications and fidelity heretofore evinced, in the management of the office, that he is more capable of reflecting the policy of your Department than any one else with less advantages.

I would therefore commend his reappointment to your favorable consideration, as one that would give the most general satisfaction to the people, and the most acceptable to the Administration democracy.

Respectfully, your ob't serv't,

J. D. FRY,

Especial Ag't, P. O. Department.

To His Excellency, JAMES BUCHANAN,
President of the United States :

The undersigned, *unflinching friends of your Administration*, earnestly recommend to Your Excellency the re-appointment of Charles L. Weller as Post Master of San Francisco, California. His appointment would, we believe, be highly acceptable to the citizens of this State. Mr. Weller is a gentleman of spotless integrity of character, and attends to his official duties with industry and fidelity.

SACRAMENTO, Feb. 3d, 1858.

JOS. WALKUP, Lieut. Governor ;
FERRIS FORMAN, Secretary State ;
THOS. H. WILLIAMS, Attorney General ;
THOS. FINDLEY, Treasurer State ;
WM. C. KIBBE, Qr. Master and A. General State ;
STEPHEN J. FIELD, Justice of Supreme Court ;
PETER H. BURNET, Justice of Supreme Court ;
H. A. HIGLEY, Surveyor General ;
CHAS. S. FAIRFAX, Clerk Supreme Court ;
R. RUST, Editor Democratic State Journal ;
GEO. H. WYATT, }
JULIUS KORN, } State Board Port Wardens ;
F. SHOCKLEY, }
JNO. B. SHAFFER, }
JOHN W. RYDER, Clerk State Board Port Wardens ;
DANIEL GIBB, Pres., }
J. P. HAVEN, } State Board Pilot Commissioners ;
R. W. HEATH, }
A. S. TOBIAS, } Pilot Commissioners ;
C. WELCH, }
JOSHUA P. HAVEN, President Board Underwriters.

SACRAMENTO, California, }
January 28, 1858. }

To His Excellency, JAMES BUCHANAN,
President of the United States :

We, the undersigned members of the Senate and Assembly of California, do hereby recommend the appointment of Mr. Charles L. Weller as Postmaster of San Francisco, believing him to be a most acceptable and efficient officer, and one whose services to the Democratic Party entitle him to its highest consideration :

MEMBERS OF THE SENATE.

A. S. Hart, Butte,
Isaac Allen, Yuba,
A. R. Melony, Contra Costa,
Josiah Johnson, Sacramento,
William Holden, Stanislaus,
John C. Burch, Trinity,
L. N. Ketchum, Amador,
Samuel A. Merritt, Mariposa,
J. H. Baker, Placer,
W. B. Dickinson, Eldorado,
E. F. Burton, Nevada,
R. S. Messick, Yuba,
James Anderson, Placer,
William T. Lewis, Calaveras,

C. E. Thom, Los Angeles,
S. M. Johnson, El Dorado,
J. Berry, Del Norte,
George W. Rogers, Tuolumne,
Ronaldo Pacheco, San Luis Obispo
John Coulter, Plumas,
W. T. Ferguson, Sierra,
S. F. Harmon, El Dorado,
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B. R. Spillman, Yuba,	Ben E. S. Ely, Yuba.
J. C. Wilson, Santa Cruz,	

SAN FRANCISCO, California, }
February, 1858. }

To JAMES BUCHANAN, President of the United States,

Washington City, D. C.

We, the undersigned Merchants, Bankers, and persons doing business in the city of San Francisco, California, desirous of expressing our approbation of the manner in which the business of the Post Office has been conducted for the last three and a half years, would respectfully recommend the re-appointment of the present incumbent Chas. L. Weller, Esq.:

Yours, very respectfully,

Alsop & Co.	McKinley, Garrioch & Co,	Fox & Newell,
Macondray & Co.	J. R. Moller & Co,	N. Vanbergen,
Flint, Peabody & Co.	Woodworth & Co,	Goddefroy, Gillem & Co.,
Daniel Gibb & Co.	Freeman & Co,	In liquidation,
Tubbs & Co.	Bradshaw & Co,	Dupuy, Foulkes & Co,
Loud, Hosmer & Tilton,	Treadwell & Co,	Elliott & Bell,
J. H. Coghill & Co.	James B. Roberts & Co,	Southgate & Mitchell,
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Wm. Arrington,	Siegmund T. Meyer & Co,	Smiley Brothers & Co,
Thos. C. D. Olmstead,	Randell & Co,	J. P. Haven,
Thos. J. Haynes & Co.	Wormser Brothers,	Geo. T. Knox,
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J. Friedlander,	Morgan, Stone & Co,	S. H. Meeker & Co,

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B. Davidson & May,
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Hel Imann Bros. & Co,

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C. Adolphe Low & Co,
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Wm. Alvord & Co,
Fred. Frank & Co,
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Dewitt, Kittle & Co,
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Lemman Meyer,
Sanjurjo & Co,
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H. M. Whitmore,

SAN FRANCISCO, March 21st, 1858.

HON. A. V. BROWN, Postmaster General :

SIR:—Learning that C. L. Weller, Esq., the present Postmaster at this place, will be an applicant for re-appointment, I take the liberty of stating in his behalf, that he gives full satisfaction to the community by the prompt and efficient manner in which he discharges the duties of his position. That he is a sound Administration Democrat, and a gentleman whose continuation in the position he now holds, would give general satisfaction socially and politically here.

Respectfully,

P. L. SOLOMON, U. S. Marshal.

RECEIVER'S OFFICE, San Francisco, Cal. }
March 15th, 1858.

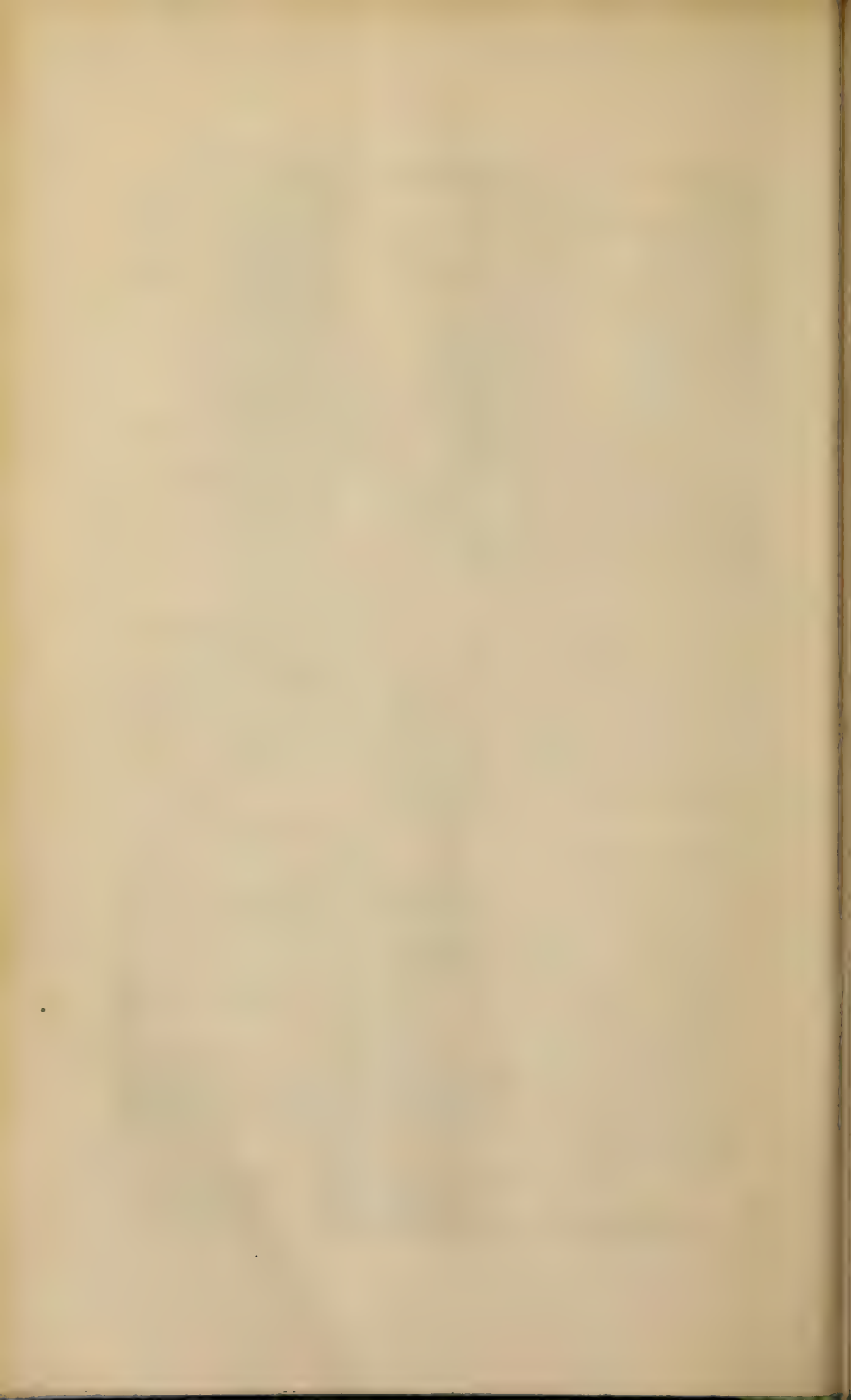
SIR:—I understand that the very efficient and popular Postmaster, C. L. Weller, is an applicant for re-appointment. It affords me much pleasure to recommend him for your favorable consideration. Could the office be conferred by the voice of the people of this city, no recommendation would be necessary, as he could be elected by an overwhelming voice.

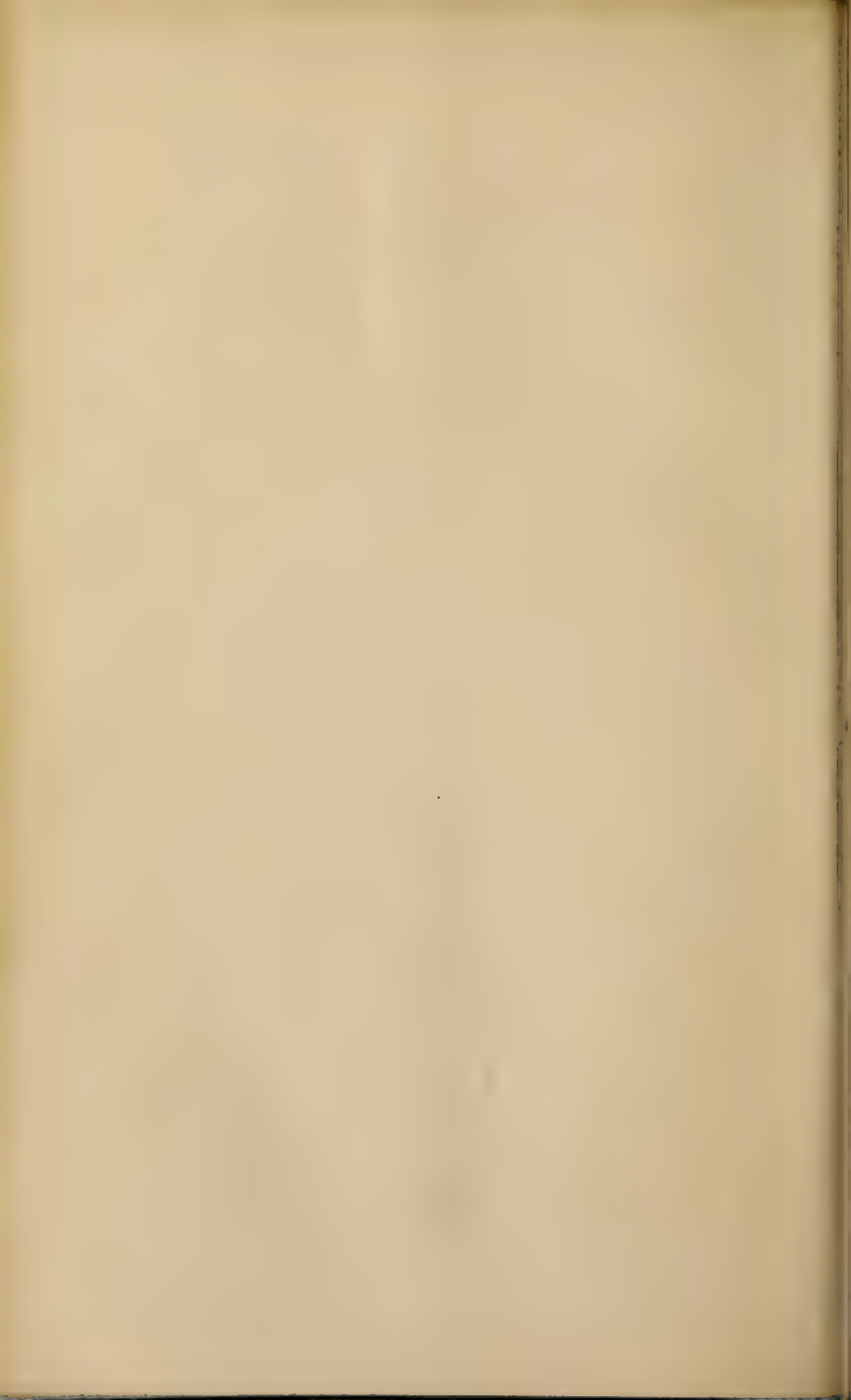
Mr. Weller's eminent qualification, his gentlemanly deportment, and great courtesy and attention to every person, high or low, has endeared himself to this community in a manner which cannot be forgotten, he has, without the least apprehension of doubt made the *best* Postmaster on the Pacific coast, and his re-appointment would be hailed with shouts of joy.

Very respectfully and truly, your obedient servant,

PASCHAL BEQUETTE, Rec. of Pub. Money.

HON. A. V. BROWN, Postmaster General, Washington, D. C.











San Francisco Engineer

REPORT

OF THE

BOARD OF ENGINEERS

UPON THE

CITY GRADES.

San Francisco, May 12, 1854.



SAN FRANCISCO:

COMMERCIAL ADVERTISER POWER PRESSES.

1854.

OFFICE CLERK COMMON COUNCIL, }
San Francisco, May 12, 1854. }

JOINT RESOLUTION,

To Print the Report of Engineers upon City Grades.

Resolved, That the Committee on Printing of this Board order two thousand copies of the Report of the Engineers upon City Grades to be printed for general circulation.

In the Board of Assistant Aldermen, May 12, 1854. Adopted.

ROBERT C. PAGE, *Clerk*.

REPORT.

The undersigned, Engineers appointed to revise the existing system of Street Grades, have concluded the task assigned them, and submit the following Report.

Before, however, entering into a statement of modifications they have thought it necessary to make, they, to a better understanding of the subject, refer to the Joint Resolution of the Common Council under which they were appointed, and which is as follows :

"JOINT RESOLUTION.

" *Whereas*, There have appeared sufficient manifestations of disapprobation on the part of the people in relation to the City Grades established by Ordinances Nos. 350 and 425, approved by the Mayor on the 20th of June and 29th of August, 1853, to require that the whole subject shall be fully and practically investigated : Therefore,

" *Resolved*, That a Special Committee of three from each Board be appointed, with power to employ three competent Engineers, who shall not be either directly or indirectly interested in real estate in the City of San Francisco, to investigate the system of Grading aforesaid, and who shall report their views and opinions of the same to the Council.

Resolved, That the said Engineers shall be instructed to report also, whether, in their opinion, any modification of said Grades can be adopted with advantage to such portions of the City as have not yet been graded under the Ordinances before recited, and without prejudice to those portions of the City in which such grading has been either wholly or partially accomplished.

" Passed the Common Council of San Francisco finally, April 3, 1854.

" (Signed)

ROBERT C. PAGE, *Clerk*.

To this exposition of the nature and limits of the duties assigned them, it is necessary to a clear understanding of the whole matter, to add some explanation of the existing system of City Grades, established by Ordinances Nos. 350 and 425, and which in its execution has caused " sufficient manifestations of disapprobation on the part of the people."

The principles which governed the Engineers who planned that system may be best explained in their own language, by quotations from their explanatory reports to the Common Council.

* * * * *

"The most important consideration, and the one to which the grade or elevation of streets must be subservient,—on which the health even of the City will in a measure depend,—is a proper system of Sewerage; particularly in the portion of the City known as the Beach and Water Lot sections, comprised in three principal divisions—the portions east of Montgomery street, and the North and South Beaches.

"It is assumed by your Engineers that six inches to the one hundred feet is the least amount of descent allowable in a sewer, especially where, as in some instances in this City, the same grade or descent will require to be maintained nearly or quite 2,500 feet, in a continuous line. We are fortified in this conclusion by the testimony of the most competent Engineers in the State, taken recently before a committee of the Legislature, convened in this City.

"It is further assumed, that eight feet is the least depth at which the bottom of a sewer should be placed below the grade of a street to answer the ordinary purposes of drainage; and in sewers required to carry a large volume of water, as in some instances will be necessary, ten feet below grade would be required to prevent the water from backing into cellars, during the rainy season.

"It is also the opinion of your Engineers, that five feet above extreme high tide is the most suitable elevation for the wharves and water streets of the City. That being the elevation of Pacific wharf, and the base of a portion of the old established grades, we have assumed it as the general basis or zero of levels, and to which all other grades are referred.

"We propose to place monuments at once, for reference, to designate permanently the exact base. Nine feet being the extreme difference of tide, and sewers having a general discharge at fourteen feet below base, it follows that at twelve hundred feet from the water front, the streets requiring sewerage must ascend in the ratio proposed for sewers. The sewers are proposed to be constructed of sufficient height to allow of the removal of obstructions which naturally accumulate during the dry season.

"In the further prosecution of the work entrusted to our care, it becomes necessary to adopt a maximum or highest ratio of ascent to be recommended for the grade of any street. After taking the elevations of most of the streets crossing the hills within the city limits, and applying various grades to the same, we are of the opinion that one to eight and one quarter feet is the most suitable that we can adopt. We have, therefore, recommended grades for street intersections, which will require

no greater ascent in intermediate blocks than that mentioned. Such an ascent will be about the present rise of Clay street, from Kearny to Dupont, giving a greater elevation to overcome than would occur in that street if it was on a uniform grade, but something less than a portion of the same street as at present graded nearest Kearny." * * * *

These are the sole principles which governed those Engineers in their task of establishing "suitable, proper and permanent grades for the streets of the City of San Francisco." Whether there are any *other* principles by which their action should have been governed in the performance of such a task, will appear in the progress of this report.

The area comprised within the present chartered limits of San Francisco, is characterized by great diversity of topographical features, and an intelligent planning of its streets, in reference to the accidents of its topography, would have contributed to its beauty and convenience, and at the same time relieved the subject of street grades from much of its complexity. Instead of this, however, a system of lines at right angles to each other are laid down upon the ground, to designate the streets, without the slightest regard to the nature of the surface over which they must pass. This evil can now only be lamented. It is past remedy. But your Engineers do most strenuously protest against the destruction of what natural advantages are yet left to the City, by the maintenance of a system of grades as unintelligent and inapplicable as the planning of the streets.

That portion of the area referred to, on which was formed the original nucleus of the City, was but a narrow strip of land, confined between the waters of a shallow bay or indentation in the shore, on the one side, and the steeply ascending slopes of high hills on the other. To the north, too, the slopes of Telegraph Hill limited development in that direction. To the south, however, the hills in rear of the town, disappear, and afford ample area for expansion, while in the more northerly part of the City, the depression between Telegraph and Russian Hills, gives easy access to the moderately level area bordering the North Beach. The imperative demands of commerce have caused the filling in of the shallow bay referred to, in front of the City, and have thus extended its natural limits four, five and six blocks. Thus, contracted as the site appeared at first, we find that the expansions in these various directions furnish an area of ground, of nearly level grades, *sufficient for a commercial city of the first magnitude.*

If this statement is true, (and it is believed it will not be disputed,) *why* are the hills to be cut down? Are they deformi

ties?—are they nuisances?—can they not be ascended? Or must they necessarily be ascended with loaded drays, when each and every individual who owns property on them would probably be perfectly content if half the streets over them were perfectly impracticable to wheels, so long as there were a few suitable avenues provided for the transportation of heavy loads, and others up which light vehicles could be driven?

Answers to these questions are not difficult, nor is it apprehended that they will give rise to much discussion. The hills are certainly *not* deformities. The stranger, on his first approach to San Francisco, as he ascends the Bay and doubles Telegraph Hill, cannot fail to be struck with the singular and peculiar beauties of the site. The varied outlines of its hills, covered with smiling residences to their very summits; the changing aspects which they present, as the steamer passes, in succession, the North Beach, Clark's Point, and reaches the harbor—all conspire to form a panorama which no other city in the world can rival. The stranger can scarce refrain from exclaiming, "How incomparable among cities will San Francisco be, when those lovely hills shall be covered with permanent residences and ornamental grounds!"

Nor will the first impression lose any of its vividness from familiarity, or from rambling over the summits of these hills. While each presents a view of no ordinary magnificence, that from the summit of Telegraph Hill surpasses all the rest, and is almost unrivalled in the world. Such points as these the inhabitants of less favored cities seek with eagerness, even at the distance of miles; while here, it is proposed to expend millions in destroying natural advantages which the wealth of California could not replace. That the hills are not nuisances, is equally clear. It is no objection that they are steep, for no one cares that they should be accessible to loaded drays. On the other hand, they join utility to beauty, by sheltering the City from the violent and prevalent westerly winds. By the protection thus furnished, they at the same time add to the tranquility and security of the harbor, (an important advantage,) and also screen the City from the deluge of drifting sea-sand which covers so much of the extremity of the peninsula.

We think we have said enough to show to every comprehension, that there are *some* other principles which should govern the grading of a City, than those laid down by the former engineers. But what are those principles which have thus ruthlessly cut down our hills and filled up our valleys to an unbroken monotony? They will not be found such, as from their dignity or importance, could have justified results so much to be deprecated.

First. The sewers "must have at least six inches fall to a hundred feet, and should not discharge below the level of low tide." Admitted.

Second. "It becomes necessary to adopt a maximum highest ratio of ascent to be recommended for the grade of any street. After taking the elevations of most of the streets crossing the hills within the city limits, and applying various grades to the same, we are of opinion that one to eight and one-quarter feet is the most suitable that we can adopt."

In conformity to this second announced principle, and to this "*suitable*" "ratio of ascent," a system of street grades is established, which in utter disregard of the topography of the City—in utter disregard of all the features of natural beauty which this varied topography lends—in still more wanton disregard of individual rights—cuts down our hills, undermines our dwellings, or buries them under an avalanche of earth. *Why* did it become necessary to adopt a "maximum or highest ratio of ascent to be recommended for any street," in perfect disregard of the object to which particular streets may be used? Where is the necessity for one and the same "ratio of ascent" for the thronged thoroughfares of the commercial part of the town, and for the numberless streets which a monotonous and unfortunately devised plan of the City has traced over the summit of our steep hills, many of which will answer the purpose equally well if accessible to light vehicles—others, if passable to pedestrians—and others, even if left utterly impracticable? And the "*suitableness*" of the particular "ratio of ascent" adopted, (which suits so well, that it cuts more than one, and even two hundred feet into hills of solid rock,) may well be doubted; at any rate, it cannot but cause some surprise, that it ever resulted from "taking the elevations of most of the streets crossing the hills within the City limits, and applying various grades to the same."

We will dwell no longer upon principles which are no principles at all; nor upon the system resulting therefrom, the effects of which have no sooner become known by the actual attempt to put it into practice, than it has roused a storm of indignant feeling among its numerous victims.

The idea of grading a city down to a dead level (or what is pretty much the same thing, down to an uniform and invariable "ratio of ascent" in disregard of natural topography,) is never thought of in Europe, but is an absurdity too frequently perpetrated in our own country, at variance not only with the beauty of a place, but also with its healthiness. In Europe the natural formation of the ground is preserved, and the cities built as nature prepared the foundation. To have levelled the seven hills of Rome,

would have utterly destroyed all that picturesque effect which has been the admiration of thirty centuries. On the banks of the Rhine are numberless villages and towns on the slopes of the mountains, which derive their attractiveness from that very circumstance. They are open to the breeze ventilating their streets, while they have also the beauty of prospect. Not to dwell on the countless instances of this, scattered all over the continent, we will select two which are among the most considerable cities in Europe, and at the same time most celebrated for beauty.

Edinburgh is built on a succession of hills with deep ravines, so that the streets of the upper town connecting two hills sometimes pass on bridges from one side to the other, while directly underneath these bridges, perhaps a hundred feet below, run at right angles the streets of the lower town. In the very centre of the city rises Castle Hill, as high probably as 'Telegraph Hill' in this city. Just on the edge of the city rises "Arthur's Crag," on the slopes of which are the best class of dwellings overlooking the rest of the city.

The most splendid city of Italy, in some respects, is Genoa. It has gained the title of "*Genoa la superba*." The streets rise by constant ascent from the edge of the water, some of them consisting almost entirely of a succession of palaces, until they attain a most commanding height. From the bay, therefore, the whole city lies before the eye of the observer, on the side of the hills, so that almost every house is visible. The streets are exceedingly steep, but the citizens consider themselves more than compensated by the increased beauty and healthiness of the place. Had Genoa been reduced to a uniform "ratio of ascent," (had such a thing been possible,) it would have lost all attractiveness, and would, we believe, have been a fourth rate place, like Pisa, which has the questionable advantage of flatness.

It is a fact, too, that when there are high locations of this kind about a city, abroad, it is on these that the best class of residences are placed, and they become the *Court* end of the town. So it will be in San Francisco, if it is not graded down into deformity. On the slopes of these hills will be erected the finest mansions, (as soon as is ascertained that there is no longer danger of being undermined,) forming an agreeable change from the flat business parts of the town.

Instances of American cities, as Boston, Albany, Newburgh, etc., whose hills retain their natural outlines, and whose streets have deep grades, might be enumerated. New York is a noted instance of the reverse; but there at least they had this excuse for the monotonous level to which the upper portions of the city

have been reduced, that the inequalities were not, as in San Francisco, commanding elevations, but a very irregular series of ridges and valleys, which required something of the kind to be done, to render drainage practicable.

We think we have said enough to convince the citizens of San Francisco, that the carrying out of the Hoadley grades would not only destroy natural beauties and advantages of location, that, however much their loss may be regretted, can *never* be replaced—that it is a wanton confiscation of private property to an immense amount—that it entails upon the City the expenditure of millions of money without the slightest accruing benefit—and more than all that, the system itself is unfounded on any true principles of strict grading.

With these preliminary remarks, we will now give a brief account, in general terms, of the principles which have governed us in remodelling the Grades, and of the nature and extent of those modifications themselves, referring to the official profiles of the several streets, and the appended tables, for the details :

First. We make no change in streets *already graded and planked* on Hoadley's grade, except in some few instances where it appeared absolutely necessary to harmonize with the proposed modifications of ungraded streets.

Second. We preserve *all the hills*, as near as possible, to their very summits, causing the streets to pass over them with as little modification of the natural surface as is consistent with drainage and harmony in the mutual intersections.

In carrying out this principle, we have taken care to provide some few avenues *across the hills*, with easy grades, as Leavenworth, Powell, Bush, Pacific, Union and Francisco streets ; and have so arranged the streets that there is no location upon them which cannot be reached by some accessible avenue.

With this provision we have been otherwise regardless of the steepness of the grade—observing, however, that most of the grades are passable by light vehicles. When, as in some few instances, the nature of the ground has not admitted this, we have been content to leave the street impracticable ; in other cases, we have drawn no grade line at all ; in such cases, there is no actual necessity for the existence of streets, and they may, if thought best, be sold to the adjacent proprietors.

Third. To rescue Telegraph Hill from the encroachments which are being made upon it, we have thought best to girdle it by a line, beyond which the encroachment cannot pass, and which, at the same time, will allow the base of the Hill, on the water sides, to be surrounded by an area of level streets and blocks, affording facilities for commerce and warehousing, and

communicating with the level portions of the City on the North Beach. This line may be thus defined: Sansome street is carried through the hill to Lombard; thence Lombard is excavated to Montgomery; thence Montgomery to Chestnut; thence Chestnut to Kearny; thence Kearny to Francisco; thence Francisco is graded through the hill to the North Beach, and continues on through Russian Hill, with an easy grade, forming one of our avenues of issue from the City.

All the streets which are located over the hill inside of the line thus defined, conform in their grades to the surface of the hill. Of course, the streets connecting these boundary streets with the adjacent ones on the summit of the hill, are impracticable up the face of the bank except (by stairs) to pedestrians. Yet Union street in the middle, and Broadway and Francisco, furnish avenues of access by wheels to the hill. Under this arrangement Sansome street (both sides) is available for warehouses; and they may even be carried back on terraces to Montgomery street, if found expedient, using machinery to elevate goods up the inclined planes furnished by the cross streets. The same remark applies to each of the portions of streets limiting the base of the hill. It follows that the streets passing over the hill have generally steep—sometimes impracticable—grades; and, in some cases, as Vallejo, Green, Filbert and Greenwich streets, between Montgomery and Kearny, we have drawn no grade line at all, as there is no necessity for passing unless to pedestrians.

Montgomery street goes over the hill with steep, but not impracticable grades, until it reaches the steep descent to Lombard.

Kearny street has impracticable grades from Broadway to Green.

Dupont street has tolerably easy grades.

Convinced of the importance of saving Telegraph Hill, not only for its commanding beauty, but for its great usefulness in protecting the harbor, we have thus defined limits to the process of individual excavation, which, if the authorities of the City will but adhere to them, can never be passed, while we have at the same time furnished at its base sufficient facilities for commerce.

To return to the first announced principle, viz: the adoption of the Hoadley grades in the streets already graded and planked.

The portion of the City to which this principle applies, is the most densely built and commercial,—at the same time it is the lowest. Its grades were established by Mr. Hoadley in reference to sewerage, and we do not find that they admit of being

reduced. Moreover, many of the buildings throughout this area have either been raised to the grade or built since to suit it, so that we could make no change, which would not, with reason, give dissatisfaction to a large portion of property-holders.

Before adopting as our own, the grades laid down for this portion of the City by Mr. Hoadley, we thought it necessary to ascertain whether as executed, they were really what they were intended to be. We have, therefore, caused all the streets which have been graded, to be carefully levelled, and observations to be made upon the accuracy of the bench-marks made by that Engineer, which would be in the main a fair test. These have been found, except under circumstances denoting change in the locality, to compare with each other. The settling at the street crossings since his lines were run in the lower portions of the City, and where planking has been laid on sand or new dirt, the springing down of the planking and timber, the wearing away of the roadway where not planked, by vehicles, are causes satisfactorily to account for the discrepancies we have observed; these discrepancies generally not exceeding three-tenths—sometimes not amounting to as many hundredths of a foot, and all *below* the true grade, give no reason for believing that Mr. Hoadley has erred in his levels on the public works. The discrepancies in the junction of Market with Montgomery street admit of explanation, with which it is not deemed necessary to swell this report.

In order to avoid confusion, we have adopted the same base, or zero of levels, as used by Mr. Hoadley. But as he has chosen to refer this base to an extreme and imaginary high water level, and this has caused confusion and dispute with some, we have thought best to assume a *mean high* water mark (which can generally be actually observed) as our reference, which level or mark is six feet seven-tenths below Mr. Hoadley's (and our) base or zero of levels. We have placed a mark at the *ordinary* high water level, on a pile, at the corner of Pacific and Davis streets, contiguous to the boat stairs. The top of the wharf at that place is now one foot one-tenth above the *base*, and seven feet eight-tenths above the high water mark described.

In regulating sewerage, Mr. Hoadley has allowed sewers to discharge at fourteen feet below his base. This brings the bottom of them about two feet below *mean low tide* at the very least calculation, and is objectionable. To avoid this, Montgomery street would have to be raised about two feet; but we do not recommend any change, as it is now too late, and other means must be sought, if found necessary, to obviate difficulties of sewerage.

In Mr. Hoadley's Report, he contemplates placing permanent *monuments* for reference of levels. This, it is to be regretted, has not been done; though he has established numerous benchmarks, known only to the City Engineers, which designate the heights of certain points above the base. We recommend that monuments whose location is known to the public, be at once provided. We will dismiss this portion of the subject with the remark, that we have not thought it necessary to pay any attention to complaints referring to inaccuracies in establishing grades and levels for individuals;—errors in carrying out a system have no bearing as to the merits or demerits of the system itself.

Referring to the second principle we have announced—viz: the preservation of the hills—we think it necessary to add a few remarks as to the manner in which we have arranged the details,—observing that we have already given sufficient details as to *Telegraph Hill*.

Bush street crosses the hills with easy grades. We would have made more alteration than we have, to avoid cutting, but consider it now too late.

Pine and California streets have ascents from Stockton to Powell, of about 1 to 5 1-2, and cutting near Mason street of 20, and 35 feet.

Sacramento street has about the same grades and cutting. To save the street, between Kearny and Dupont, from the avalanche now coming upon it, we have altered and lowered the graded portion from Dupont to Stockton—but this alteration is not essential to the changes made higher up.

Clay street has an ascent of about 1 to 5, between Taylor and Jones—a cutting of about 20 feet near Powell. We raise the street (now graded and planked,) between, from Stockton to Powell, to save excavation between Powell and Mason. But this alteration is quite independent of the modifications of the higher portions of the street.

Washington street has an ascent of about 1 to 6—a cutting of about 25 feet near Jones, and a filling of 30 feet near Mason.

Jackson street ascends with 1 to 6 1-2, and has a cutting of 20 to 30 feet from Taylor to Jones.

Pacific street crosses the hills with Hoadley's grades with a slight modification at Jones street.

Broadway has a heavy filling from Mason to Taylor, and passes Russian Hill with a steep grade of over 1 to 5.

Vallejo street ascends Russian Hill with an impracticable grade, and is left ungraded on the summit of the hill.

Green street ascends Russian Hill with 1 to 6 1-2, and is left ungraded from Taylor to Jones.

Union street crosses Russian Hill with a practicable grade of 1 to 7.

Filbert street descends Telegraph Hill with a steep grade of 1 to 4 1-2. From Leavenworth to Hyde it has a grade of 1 to 5 1-2, and a cutting of from 30 to 40 feet.

Greenwich street descends Telegraph Hill with a steep descent, ascends Russian Hill with a grade of 1 to 4 1-2. Both these streets are lowered between Mason and Leavenworth.

Lombard street descends Telegraph Hill with easy grades to Stockton—unaltered from Stockton to Jones—and ascends Russian Hill with a grade of 1 to 4 1-2.

Chestnut street descends Telegraph Hill with steep pitch to Dupont—has easy grades thence to Powell, and goes over Russian Hill with a grade of 1 to 5.

Francisco, as a thoroughfare, connecting the business streets at the base of Telegraph Hill with the North Beach, and thence furnishing an avenue out of the City, passes both of these hills with a grade of 1 to 8 1-4, and deep cuttings.

Of the streets perpendicular to these, Larkin, Hyde, Leavenworth and Jones, ascend Russian Hill with steep grades, but after ascending, they pass and descend the hills with occasional cuttings and fillings of 10, 20, and sometimes 40 feet, and with easy grades.

Taylor street ascends Russian Hill, and descends to Bush street with steep grades and little cutting or filling.

Powell street has been left unaltered, where graded and planked. It was laid too low between Telegraph and Russian Hills, but we have not thought proper to change it. Over the hills we have changed the grades, and it is a tolerably practicable avenue of ascent from Bush to the summit.

Stockton street, like Powell, has been left unaltered where graded and planked. It must be raised over the hills.

In relation to those portions of the City lying to the southward of Market street, but few remarks are necessary. We have preserved the elevated ground of Rincon Point in the same manner as the hills already spoken of, by passing the streets over them. The approaches to the water have, however, made some cutting necessary in Main, Beale, Fremont, and First, Second and Third streets. We can propose no better means of draining the low grounds between Rincon Point and Mission Creek, than the canal proposed by Mr. Hoadley. To avoid this, very heavy embankments would be required in the neighboring portions of the City, which necessity is evaded by adopting the canal.

Although the amount of cutting and filling required by our system of grading is probably not one-hundreth part that re-

The case is quite different when nature herself indicates the location of such grounds. So she has done in San Francisco; but as yet her language has been only understood to indicate that she has provided so many tons of ballast for shipping. We are mistaken; the citizens of San Francisco *do feel* that she has spoken another language (though they are perhaps unconscious of it) when on every holiday they crowd the slopes of Telegraph Hill. There, indeed, they may feel that, though but a few steps from their own doors, they are no longer cramped within the walls of a city, though a city lies at their feet. While the eye embraces at one view the beautiful expanse of the Bay,—its distant mountains—the unrivalled “Golden Gate,” and the far spreading waters of the Pacific, can they reconcile themselves to the idea that even this summit is to be cut down to a “maximum ratio of ascent of one to eight and a quarter?”—that the value of its massive rocks is estimated for “ballast?”—or even that its summit should ever be other than it is now, open to the public; capable as it is of being made the finest public grounds belonging to any city in the world? The summit and slopes of this hill are too steep for building purposes; and we most urgently recommend that the six squares bounded by Montgomery, Dupont, Union and Lombard streets, be purchased and made forever public grounds. There would undoubtedly be difficulty in extinguishing the numerous titles, but we believe it could be *gradually* done, at reasonable rates, and that in so doing an inestimable boon would be conferred on the future generations of San Francisco.

In concluding our labors we beg leave to state that the unanimity with which our results are stated, is in no manner the result of mutual concession. Almost strangers to each other, and untrammelled either by personal interest or preconceived opinions, we have found ourselves unanimous in all that we have done, from the plain reason that the guiding principles are so simple that they could lead to but one result.

In carrying out these principles—in arranging the details—much labor has been necessary, and while we have conscientiously endeavored to give the best arrangement to each individual part, we can scarcely hope that our work is perfect; or that, were it so, it would escape criticism and censure, where there are so many conflicting interests concerned.

We subjoin to this Report a tabular statement of the height above base of the street crossings, by our system, and the cutting and fillings resulting therefrom, comparing them with Hoadley's.

We have drawn lines on the official profile of the streets, indicating our modified grades—and on the official map of grades

we have drawn lines indicating the proper location of sewers, and have on the same map figured in blue the elevations of the street crossings according to our system wherever it differs from Mr. Hoadley's. These papers, furnished us by the City Engineer, we place in your hands with this Report.

Respectfully submitted.

J. G. BARNARD,
Brevet Major U. S. Corps Engineers.

A. T. ARROWSMITH,
Civil Engineer.

J. A. HARDIE,
First Lieutenant, Third Artillery.

TO MESSRS. J. R. WEST, J. NIGHTINGALE, FRANK TURK,
HENRY MEIGGS, SAMUEL GARDINER, *Committee of the
Common Council.*

SAN FRANCISCO, May 10th, 1854.

TABLE OF GRADES,

CUTTINGS AND FILLINGS.

The BASE or ZERO, is *six feet seven-tenths* above an *ordinary high tide mark* on a pile at the Boat Stairs, corner of Pacific and Davis Streets. The top of the Wharf at that point is one foot, one-tenth above base, or seven feet eight-tenths above ordinary high tide. The Base is actually the same as Mr. Hoadley's, but calculated from ordinary high tide, instead of an arbitrary extreme high tide.

Heights, Cuttings and Fillings, are given in feet and tenths.

The Cuttings and Fillings given, are averages of the Cuttings and Fillings of the areas at the intersections of the Streets, and are stated approximately. Being simply given to present a comparative view of the work required under the two systems, where Mr. Hoadley's Grades are adhered to (as in the lower and commercial portion of the town) the Fillings are not given, being the same of course under either system.

The Cuttings and Fillings are stated with reference to the surface of the ground, as it was before any work was done in pursuance of Hoadley's system of Grades, except where especially noted in the columns to the contrary. The old plank road on Mission street, Stockton street from Filbert street to Francisco street, and the surfaces of the older settled portions of the City generally, are of course included in this interpretation of the "surface of the ground" which we thus adopt. To have given these calculations from the present half-finished or partially altered state of the ground, would have led to confusion.

A Table of Levels representing the present state of that part of the City generally, where changes have been made in the original surface of the ground over which streets run, is appended.

INTERSECTIONS		Height in ft above Base by Hoodley's Grade	Height in ft above Base by Modified Grade	Cutting in feet by Hoodley's Grade.	Cutting in feet by Modified Grade	Filling in feet by Hoodley's Grade	Filling in feet by Modified Grade.
<i>Names of Streets.</i>	<i>Names of Streets.</i>						
Dram	Thoroughfare						
Davis	Pine	1 25					
	California						
	Sacramento						
	Clay						
	Washington						
	Jackson						
	Pacific						
	Broadway						
	Vallejo						
Front	Pine	2 50	No Modification proposed for these streets. (See Report.)				
	California	1 50					
	Sacramento	0 75					
	Clay						
	Washington						
	Jackson						
	Pacific						
	Broadway						
	Vallejo						
	Green						
	Union						
	Filbert						
Battery	Greenwich						
	Bush	5					
	Pine	4					
	California	3 16					
	Sacramento	2 50					
	Clay	1 75					
	Washington	1 75					
	Jackson	1 75					
	Pacific	4					
	Broadway	12					
	Vallejo	12					
	Green	7 50					
	Union	5					
	Filbert	2 50					
	Greenwich						
	Lombard						
Sansome	Sutter	13					
	Bush	13					
	Pine	5 50					
	California	5					
	Sacramento	4 25					
	Clay	3 50					
	Washington	3 50					
	Jackson	3 50					
	Pacific	12					
	Broadway	30					
	Vallejo	40	30	60	70		
	Green	40	30	110	120		
	Union	35	30	30	34		
	Filbert	24	no mod	16	50		
	Greenwich	12	do.	12	12		
	Lombard		do.				
	Chestnut		do.				
Montgomery	Post	24	do.				
	Sutter	24	do.				
	Bush	20	do.				

INTERSECTIONS.		Headley's Heights.	Modified Heights.	Headley's Cuttings.	Modified Cuttings.	Headley's Fillings.	Modified Fillings.
<i>Names of Streets.</i>	<i>Names of Streets.</i>						
Montgomery	Pine	13	no mod				
	California	7 50	do.				
	Sacramento	6 75	do.				
	Clay	6	do.				
	Washington	6	do.				
	Jackson	6	do.				
	Pacific	30	do.				
	Broadway	60	70	43	33		
	Vallejo	90	115	28	3		
	Green	90	170	85	5		
	Union	85	220	139	4		
	Filbert	74	180	107	1		
	Greenwich	60	136	74			2
	Lombard	30	12	81	99		
	Chestnut		no mod				
	Francisco		do.				
Kearny	Geary	35	do.				
	Post	39	do.				
	Sutter	39	do.				
	Bush	39	do.				
	Pine	39	do.				
	California	36	35			1	g'de at present
	Sacramento	28	no mod				
	Clay	28	do.				
	Washington	28	do.				
	Jackson	20	do.				
	Pacific	30	do.				
	Broadway	60	do.	10	10		
	Vallejo	90	142	58 2	6		
	Green	120	152	35	3		
	Union	135	147	19	7		
	Filbert	120	209	95	6		
	Greenwich	90	231	153	12		
	Lombard	60	176	122	6		
	Chestnut	30	12	68	86		
Dupont	Francisco		no mod	45	45		
	Bay		do.				
	North Point		do.				
	O'Farrell	32	do.	28	28		
	Geary	40	do.	15	15		
	Post	45	do.			20	20
	Sutter	50	do.			5	5
	Bush	65	do.			7	7
	Pine	89	94	13	8		
	California	86	no mod	6	6		
	Sacramento	78	68			21	11
	Clay	73	no mod	0 8	0 8		
	Washington	64	do.			1	1
	Jackson	51	do.			1 4	1 4
	Pacific	48	do.			1	1
	Broadway	60	do.			6	6
	Vallejo	83	do.			1 3	1 3
	Green	98	95			6 5	3 5
	Union	105	102			3 5	0 5
	Filbert	110	no mod			4	4
	Greenwich	110	153	50	7		
	Lombard	100	144	51	7		
	Chestnut	70	110	55	15		

INTERSECTIONS.		Headley's Heights.	Modified Heights.	Headley's Cuttings.	Modified Cuttings.	Headley's Fillings.	Modified Fillings.
<i>Names of Streets.</i>	<i>Names of Streets.</i>						
Dupont.....	Francisco.....	40	50	30	20		
	Bay.....	10	no mod				
	North Point.....		do.				
	Beach.....		do.				
Stockton.....	Ellis.....	30	do.			11	11
	O'Farrell.....	40	do.	22	22		
	Geary.....	50	do.	18	18		
	Post.....	62	do.			10	10
	Sutter.....	78	do.			10	10
	Bush.....	110	do.	22	22		
	Pine.....	139	169	41	11		
	California.....	136	161	35	10		
	Sacramento.....	128	no mod			8	8
	Clay.....	118	do.	grade.	grade.		
	Washington.....	102	do.	do.	do.		
	Jackson.....	93	do.	do.	do.		
	Pacific.....	82	do.	2' de at	2' de at		
	Broadway.....	74	do.	present	present		
	Vallejo.....	86	do.	do.	do.		
	Green.....	72	do.	do.	do.		
	Union.....	70	do.	do.	do.		
	Filbert.....	80	do.	4 3	4 3		
	Greenwich.....	85	95	21 3	11 3		
	Lombard.....	80	90	21	11		
Powell.....	Chestnut.....	55	60	17 9	12 9		
	Francisco.....	25	27	2' de at			2
	Bay.....	8	no mod	present			
	North Point.....		2				
	Beach.....		no mod				
	Eddy.....	25	22			9	6
	Ellis.....	30	26			9	5
	O'Farrell.....	44	no mod	20	20		
	Geary.....	58	do.	15	15		
	Post.....	74	do.			6	6
	Sutter.....	92	do.			14	14
	Bush.....	125	135			2	12
	Pine.....	158	182	43	19		
	California.....	186	228	58	16		
	Sacramento.....	178	205	45	18		
	Clay.....	168	180	27	15		
	Washington.....	152	no mod	13	13		
	Jackson.....	133	do.	2	2		
	Pacific.....	115	do.			10	10
	Broadway.....	110	do.	2	2		
	Vallejo.....	104	do.			17	17
	Green.....	77	do.			7	7
	Union.....	70	do.	grade.	grade.		
	Filbert.....	48	do.			5	5
	Greenwich.....	37	do.	5	5		
	Lombard.....	30	do.	8	8		
	Chestnut.....	10	do.			10	10
	Francisco.....	5	do.			5	5
	Bay.....	2 5	4				
	North Point.....		2				
	Beach.....		no mod				
Mason.....	Jefferson.....		do.			7	2
	Turk.....	30	25			7	3
	Eddy.....	10	2				

INTERSECTIONS.		Headley's Heights.	Modified Heights.	Headley's Cuttings.	Modified Cuttings.	Headley's Fillings.	Modified Fillings.
<i>Names of Streets.</i>	<i>Names of Streets.</i>						
Mason.....	Ellis	45	no mod	9	9		
	O'Farrell	60	do.	17	17		
	Geary	70	do.	12	12		
	Post	90	82			21	13
	Sutter	123	115			22	14
	Bush	156	no mod	9	9		
	Pine	189	214	25	grade.		
	California	222	275	75	22		
	Sacramento	228	276	61	13		
	Clay	218	220			5	7
	Washington	192	182			37	27
	Jackson	173	no mod			13	13
	Pacific	165	do.	11	11		
	Broadway	160	147			41	28
	Vallejo	154	no mod			14	14
	Green	137	152	30	15		
	Union	104	no mod			3	3
	Filbert	78	do.	grade.	grade.		
	Greenwich	45	do.			14	14
	Lombard	12	do.			14	14
	Chestnut	8	do.			13	13
	Francisco	5	do.			13	13
	Bay	2 50	4				
	North Point		2				
	Beach		no mod				
	Jefferson		do.				
Taylor	Tyler	36	41	19	14		
	Turk	33	28			10	5
	Eddy	35	30			11	6
	Ellis	50	no mod	grade.	grade.		
	O'Farrell	65	do.	do.	do.		
	Geary	80	do.	do.	do.		
	Post	110	105	do.	5		
	Sutter	143	135			15	8
	Bush	176	171			16	11
	Pine	209	213	2			2
	California	242	278	41	5		
	Sacramento	275	280	10	5		
	Clay	268	no mod	3	3		
	Washington	242	252	12	2		
	Jackson	223	238	26	11		
	Pacific	215	no mod	3	3		
	Broadway	210	230	3			17
	Vallejo	204	280	86	10		
	Green	171	218	55	8		
	Union	138	154	30	14		
	Filbert	105	95			15	5
	Greenwich	72	55			29	12
	Lombard	39	no mod			19	19
	Chestnut	18	30			9	21
	Francisco	6	no mod				
	Bay	3	do.				
	North Point		2				
	Beach		no mod				
	Jefferson		do.				
Jones.....	McAllister	33	38	29	24		
	Tyler	40	60	38	8		
	Turk	38	33			8	3

INTERSECTIONS.		Headley's Heights	Modified Heights.	Headley's Cuttings.	Modified Cuttings.	Headley's Fillings.	Modified Fillings.
<i>Names of Streets.</i>	<i>Names of Streets.</i>						
Jones	Eddy	40	no mod	grade.	grade.		
	Ellis	60	do.			6	6
	O'Farrell	80	do.	14	14		
	Geary	100	95			8	3
	Post	143	128		4	1	
	Sutter	166	156			30	20
	Bush	199	191			19	11
	Pine	232	no mod	11	11		
	California	265	300	45	15		
	Sacramento	298	338	61	21		
	Clay	318	348	45	15		
	Washington	292	332	65	25		
	Jackson	273	294	37	16		
	Pacific	252	257	7	2		
	Broadway	260	297	31			6
	Vallejo	254	296	53	11		
	Green	221	282	69	8		
	Union	188	204	1			17
	Filbert	155	140			21	6
	Greenwich	122	105			41	24
	Lombard	80	no mod			8	8
	Chestnut	56	80	33	9		
	Francisco	23	40				
	Bay	10	no mod				
	North Point		5				
	Beach		2 50				
	Jefferson		no mod				
Leavenworth	McAllister	36	39			1	4
	Tyler	41	59	21	6		
	Turk	50	no mod	7	7		
	Eddy	55	do.	grade.	grade.		
	Ellis	75	70		3	2	
	O'Farrell	100	do.			2	2
	Geary	120	do.			12	12
	Post	150	do.			8	8
	Sutter	180	do.			5	5
	Bush	210	do.	2	2		
	Pine	240	do.	grade.	grade.		
	California	260	do.	6	6		
	Sacramento	290	do.	7	7		
	Clay	320	do.	7	7		
	Washington	305	do.	6	6		
	Jackson	275	do.	10	10		
	Pacific	245	do.			3	3
	Broadway	230	do.	2	2		
	Vallejo	244	do.	grade.	grade.		
	Green	260	395	39	4		
	Union	238	266	36	8		
	Filbert	205	no mod	6	6		
	Greenwich	172	182	17	7		
	Lombard	139	162	34	11		
	Chestnut	106	136	29			1
	Francisco	73	90	47	30		
	Bay	40	58	49	31		
	North Point	10	25				
	Beach		5				
	Jefferson		no mod				
Hyde	McAllister	40	do.			1	1

INTERSECTIONS.		Headley's Heights.	Modified Heights.	Headley's Cuttings.	Modified Cuttings.	Headley's Fillings.	Modified Fillings.
<i>Names of Streets.</i>	<i>Names of Streets.</i>						
Hyde.....	Tyler.....	50	no mod			4	4
	Turk.....	60	do.	24	24		
	Eddy.....	70	65			10	5
	Ellis.....	80	75			15	10
	O'Farrell.....	95	no mod	6	6		
	Geary.....	110	do.			4	4
	Post.....	130	do.	8	8		
	Sutter.....	160	do.	5	5		
	Bush.....	190	do.	7	7		
	Pine.....	205	do.			4	4
	California.....	210	do.			14	14
	Sacramento.....	240	do.	1	1		
	Clay.....	270	do.	6	6		
	Washington.....	255	do.			3	3
	Jackson.....	235	do.	grade.	grade.		
	Pacific.....	215	do.	do.	do.		
	Broadway.....	190	do.			4	4
	Vallejo.....	220	do.			6	6
	Green.....	226	do.			2	2
	Union.....	230	250	21	1		
	Filbert.....	255	280	30	5		
	Greenwich.....	222	286	70	6		
	Lombard.....	189	270	86	5		
	Chestnut.....	156	220	64	grade.		
	Francisco.....	123	140	27	10		
	Bay.....	90	no mod			8	8
	North Point.....	57	do.	21	21		
	Beach.....	24	do.				
	Jefferson.....		do.				
Larkin.....	Market.....	50	do.	36	36		
	McAllister.....	44	do.			2	2
	Tyler.....	52	do.			11	11
	Turk.....	65	do.			7	7
	Eddy.....	80	do.	19	19		
	Ellis.....	85	do.			5	5
	O'Farrell.....	90	do.	grade.	grade.		
	Geary.....	105	do.	2	2*		
	Post.....	115	do.	5	5		
	Sutter.....	130	do.			13	13
	Bush.....	150	do.			2	2
	Pine.....	160	do.			6	6
	California.....	180	do.			1	1
	Sacramento.....	200	do.			9	9
	Clay.....	220	do.			20	20
	Washington.....	210	do.			5	5
	Jackson.....	196	do.			12	12
	Pacific.....	182	do.	grade.	grade.		
	Broadway.....	155	do.	do.	do.		
	Vallejo.....	180	169			23	12
	Green.....	190	no mod	3	3		
	Union.....	200	220	22	2		
	Filbert.....	210	228	19	1		
	Greenwich.....	200	236	45	9		
	Lombard.....	175	233	66	8		
	Chestnut.....	142	215	73	grade.		
	Francisco.....	109	138	43	14		
	Bay.....	76	91			4	19
	North Point.....	43	58	26	11		

INTERSECTIONS.		Headley's Heights.	Modified Heights.	Headley's Cuttings.	Modified Cuttings.	Headley's Fillings.	Modified Fillings.
<i>Names of Streets.</i>	<i>Names of Streets.</i>						
Larkin	Beach	19	25				
East	Johnson		no mod				
Stuart	Throughout		do.				
Spear	Throughout		do.				
	Trail to Harrison		do.				
Main	Harrison		20	37	17		
	Market		no mod				
	Mission		do.				
	Howard		do.				
	Folsom	5	do.				
	Harrison	29	35	18	3		
	Bryant		no mod				
Beal	Market	125	do.				
	Mission	125	do.				
	Howard	2	do.				
	Folsom	10	do.				
	Harrison	40	50	12	2		
	Bryant		no mod				
	Brannan		do.				
Fremont	Market	3	do.			10	10
	Mission	3	do.				
	Howard	4	do.				
	Folsom	20	do.	4	4		
	Harrison	60	70	11	1		
	Bryant	20	no mod				
	Brannan		do.				
First	Market	5	do.	grade	grade	6 g pres	grade
	Mission	5	do.	gr pres			
	Howard	5	do.		grade		
	Folsom	30	do.	1 g pres	do.		
	Harrison	80	85	5	do.		
	Bryant	30	45	28	13		
	Brannan		no mod				
	Townsend		do.				
Second	Market	20	do.	gr pres	gr pres		
	Mission	11	do.	do.	do.		
	Howard	14	do.	26	26		
	Folsom	50	47	g. pres	3		
	Harrison	100	no mod	5	5		
	Bryant	50	45			6	1
	Brannan	40	no mod			2	2
	Townsend	10	30	35	15		
	King		no mod				
	Berry		do.				
Third	Market	35	do.	5	5		
	Mission	17	do.	5	5		
	Howard	20	do.	grade	grade		
	Folsom	20	15			13	8
	Harrison	18	13		3	2	
	Bryant	16	6			6	1
	Brannan	16	14			4	2
	Townsend	20	no mod	5	5		
	King	2	do.				
	Berry		do.				
	Chambers		do.				
Fourth	Market	30	do.			12	12
	Mission	24	do.	5	5		
	Howard	20	do.	15	15		

INTERSECTIONS.		Headley's Heights.	Modified Heights.	Headley's Cuttings.	Modified Cuttings.	Headley's Fillings.	Modified Fillings.
<i>Names of Streets.</i>	<i>Names of Streets.</i>						
Fourth.....	Folsom	10	6			8	4
	Harrison.....	4	no mod			10	10
	Bryant.....	2	do.			8	8
	Brannan.....		do.			5	5
	Townsend.....		do.				
	King.....		do.				
	Berry.....		do.				
Fifth.....	Channel.....		do.				
	Market.....	24	20			9	5
	Mission.....	18	no mod	5	5		
	Howard.....	12	do.			4	4
	Folsom.....	6	4			9	7
	Harrison.....		no mod			6	6
	Bryant.....		do.			6	6
	Brannan.....		do.			6	6
	Townsend.....		do.				
	King.....		do.				
	Berry.....		do.				
	Channel.....		do.				
	Hooper.....		do.				
Simmons.....	Market.....	36	41	10	5		
	Mission.....	30	no mod	2	2		
	Howard.....	10	do.	grade.	grade.		
	Folsom.....	5	do.			7	7
	Harrison.....	2	do.			4	4
	Bryant.....		do.			4	4
	Brannan.....		do.			5	5
	Townsend.....		do.				
	King.....		do.				
	Berry.....		do.				
	Channel.....		do.				
	Hooper.....		do.				
	Irwin.....		do.				
	Hubbell.....		do.				
	South.....		do.				
Harris.....	Market.....	32	37	1			4
	Mission.....	20	no mod			11	17
	Howard.....	13	do.			10	10
	Folsom.....	10	6			7	3
	Harrison.....	5	no mod			6	6
	Bryant.....	5	do.	1	1		
	Brannan.....	2	do.			2	2
	Townsend.....		do.			6	6
	King.....		do.				
	Berry.....		do.				
	Channel.....		do.				
	Hooper.....		do.				
	Irwin.....		do.				
	Hubbell.....		do.				
	South.....		do.				
Price	Market.....	43	53	33	23		
	Mission.....	35	45	15	5		
	Howard.....	20	no mod	10	10		
	Folsom.....	15	do.	15	15		
	Harrison.....	10	do.			7	7
	Bryant.....	5	do.	8	8		
	Brannan.....		do.				
Johnson.....	Market.....	50	do.	55	55		

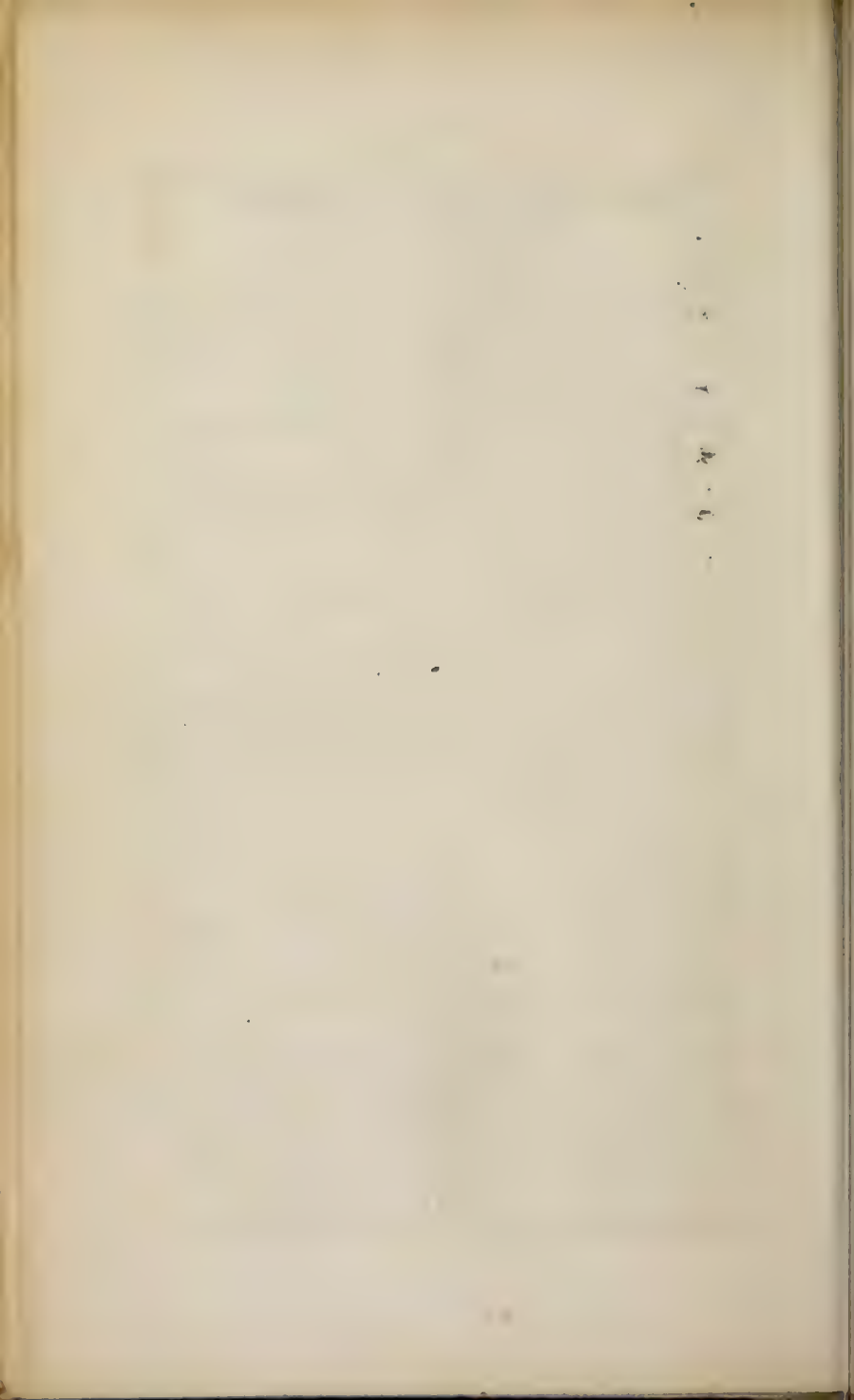
INTERSECTIONS.		Headley's Heights.	Modified Heights.	Headley's Cuttings.	Modified Cuttings.	Headley's Fillings.	Modified Fillings.
<i>Names of Streets.</i>	<i>Names of Streets.</i>						
Johnson.....	Mission.....	42	no mod.			6	6
	Howard.....	35	do.	25	25		
	Folsom.....	25	do.	10	10		
	Harrison.....	15	do.	5	5		
	Bryant.....	5	do.	23	23		
	Brannan.....		do.				

GRADES OF POINTS OF STREETS

INTERMEDIATE BETWEEN CROSSINGS.

	Height above Base in feet.
On Market street, (between Simmons and Harris streets,) 275 feet west of Simmons street	25
On Harrison street, (between Second and Third streets,) 275 feet west of Second street.	90
On Bryant street, (between First and Second streets,) 275 feet west of First street.	52
On Bryant street, (between Second and Third streets,) 550 feet west of Second street.	12
On Brannan street, centre of Block, between Third and Fourth streets.	5
On Townsend street, 265 feet west of Second street, (between Second and Third streets.)	68
On Townsend street, 285 feet west of Second street, (between Second and Third streets.)	68
On Townsend street, centre of Block, between Third and Fourth streets.	5
On First street, (between Bryant and Harrison streets,) 334 feet north of Bryant street.	117
On First street, (between Bryant and Harrison streets,) 356 feet north of Bryant street.	117
On Second street, (between Townsend and Brannan streets,) 265 feet north of Townsend street.	55
On Second street, (between Townsend and Brannan streets,) 285 feet north of Townsend street.	55
On Second street, centre of Block, between Bryant and Harrison streets.	66
On Second street, (between Harrison and Folsom streets,) 206.3 feet north of Harrison street.	110
On Second street, centre of Block, between Folsom and Howard streets.	22
On Powell street, centre of Block, between California and Sacramento streets.	220
On Stockton street, centre of Block, between Pine and California streets.	175
On Dupont street, centre of Block, between Vallejo and Green streets.	90.5
On Dupont street, centre of Block, between Union and Filbert streets.	107.5
On Dupont street, centre of Block, between Greenwich and Lombard streets	160
On California street, (between Montgomery and Kearny streets,) 137.6 feet west of Montgomery street.	15
On Clay street, (between Jones and Leavenworth,) 137.6 feet west of Jones street.	348
On Clay street, (between Mason and Powell streets,) 137.6 feet east of Mason street.	218
On Washington street, (between Jones and Leavenworth,) 137.6 feet west of Jones street.	332
On Jackson street, (between Jones and Taylor,) 100 feet east of Jones.	284
On Broadway, (between Taylor and Jones) 237.6 feet west of Taylor street.	293
On Green street, (between Montgomery and Kearny,) 145 feet west of Montgomery street.	202
On Green street, (between Montgomery and Kearny,) 245 feet west of Montgomery street.	192
On Green street, centre of Block between Kearny and Dupont streets.	118
On Green street, (between Dupont and Stockton,) 197.6 feet west of Dupont street.	85
On Union street, centre of Block between Leavenworth and Hyde streets.	275
On Silver street, centre of Block between Stockton and Powell streets.	55
On Silver street, centre of Block between Powell and Mason streets.	54
On Greenwich street, centre of Block between Larkin and Hyde streets.	275
On Greenwich street, (between Dupont and Kearny streets,) 137.6 feet east of Dupont street.	162
On Greenwich street, (between Dupont and Kearny streets,) 68.9 feet west of Kearny street.	206
On Lombard street, (between Hyde and Larkin streets,) 197.6 feet east of Larkin street.	260

NOTE.—On the Official Profile, where dotted lines occur (in blue,) or surface lines are left, the grade refers to the surface.



San Francisco Common Council

REPORT

ON THE CONDITION OF

THE REAL ESTATE

WITHIN THE LIMITS OF THE CITY OF

SAN FRANCISCO,

AND THE PROPERTY BEYOND, WITHIN THE BOUNDS OF THE OLD

MISSION DOLORES,

MADE IN PURSUANCE OF AN ORDINANCE OF THE

COMMON COUNCIL OF SAID CITY,

CREATING A COMMISSION TO ENQUIRE INTO CITY PROPERTY.

ALFRED WHEELER,	}	COMMISSIONERS.
A. A. SELOVER,		
AUGUSTUS MORRIS,		

SAN FRANCISCO :

PRINTED AT THE OFFICE OF THE EVENING PICAYUNE.

JANUARY, 1851.



REPORT

ON THE CONDITION OF

THE REAL ESTATE

VITHIN THE LIMITS OF THE CITY OF

SAN FRANCISCO.

To the Honorable the Common Council of the City of San Francisco :

On the 30th day of May last an Ordinance was enacted by your Honorable body in the words following, to wit :

“The people of the City of San Francisco do ordain as follows: A Commission shall be appointed to consist of one Alderman, one Assistant Alderman and one citizen of San Francisco, to be elected by joint ballot, whose duty it shall be to ascertain and report to the Common Council the extent, description and condition of all the property belonging to this city, or to the municipality, or pueblo of Yerba Buena, or San Francisco, on the 29th day of April last ; and all claims, rights, titles and interests of said city or pueblo to or in any lands, funds or property within the corporate limits ; and also to ascertain and report upon any right or privilege to which the citizens of San Francisco or the citizens or inhabitants thereof, may be entitled beyond the limits described by the Act to incorporate the City of San Francisco.”



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On the 25th of June official notice was sent to the undersigned informing them that they had been elected the Commissioners under said Ordinance, to make the investigation required. Pursuant to that Ordinance and under its authority the Commissioners entered immediately upon their duties, and up to the present time the chairman of the board, upon whom has personally devolved the requisite labor, has been employed in the examination of the City records and State archives, and in arranging the matter found in the form as now presented in this report.

On the 14th of October last the Commissioners had the honor to present a partial report, being upon the condition of the Beach and Water Lots. The present and final Report is upon the condition of all the other property mentioned in the Ordinance above quoted. The Commissioners have labored under great difficulties and embarrassment throughout. The early grants of lots within the present limits of the City, made under Mexican law and by Mexican functionaries, contained either no description or a very imperfect and unintelligible one, of the land intended to be granted, specifying in most cases only the *quantity* of land.

And the record of grants made after the change of governments are almost entirely mere memoranda, oftentimes indefinite, with many alterations, erasures, interlineations and errors; boundaries being sometimes given differing widely from the lots as laid down upon the map, frequently written unintelligibly, sometimes signed by the functionary making the grant, sometimes by his clerk and sometimes by neither, so that to sift out of all this matter what disposition had been made of the 1532 lots of the fifty vara survey, the 341 of the hundred vara survey, and the 772 of the water lot survey, besides the other property beyond the surveyed limits, and to report accurately, when, by whom, to whom and by what authority the same or any part thereof had been disposed of, was a labor that demanded the utmost care, and which became necessarily slow and protracted.

The books containing the records were found to be without any system or order, many of them being blotters of entries hastily made, as if for future compilation and arrangement.

In the examination of the State Archives containing the grants made by the Mexican Governors and the Departmental Assembly, as well as the legislative proceedings and enactments of that

body, as great a difficulty was presented. Almost everything found was in the shape in which first written, the laws, orders and regulations being neither indexed, printed, engrossed nor bound, but written in almost unintelligible Spanish, in an illiterate hand, and sometimes upon mere scraps of paper; the only record of a law sometimes being found attached to a grant, or one of the 579 "*Expedientes*,"* as though suggested by the particular grant, and only preserved as a record by reason of it. All these documents, together with a much greater quantity of useless and unimportant material, comprising about two cart loads of paper from the records of the former government of Alta California.

Before referring to the grants described in the schedules and synopsis of this report, and in order to show by what authority and under what circumstances the same have been made, the Commissioners deem it proper to give a short history of the condition of San Francisco and the laws by which it was governed from its first establishment under the dominion of Spain to the present time, and some account also of the connecting links from the Supreme Authority to those in charge of the Pueblos and Missions, of which latter this was one.

New Spain, of which California was a part, was governed by a Viceroy or Governor, appointed by the King, and the extent of his power and authority is shown by the following order:—
 "We command and order our royal audiences of Peru and New Spain, and others subject and subordinate to the jurisdiction of Viceroys, and all Governors, Justices, Subjects and Vassals of ours, ecclesiastic and secular, of whatever state, condition, grade or dignity, to obey and respect them as persons representing us; to observe, fulfil and execute their orders and commands, whether verbal or in writing. And to obey as if commanded by ourselves personally, or by letters signed with our royal hand."†

By a Royal Regulation of October 15th, 1754, the necessity which had before existed, of making application to the King for a confirmation of title to lands in the distant Provinces, was abolished, and it was decreed, "That from the date of this, my

* An *Expediente* is the chain of documents connected with an application for a grant, from the petition to the final determination.

† Laws of the Indies, Lib. 3. Tit. 3. Law 2.

royal order, the power of appointing sub delegate judges; to sell and compromise for the lands and uncultivated parts of the said dominions, shall belong thereafter exclusively to the Viceroys and Presidents of my royal audiences of those kingdoms. But in regard to lands of community, and those granted to the towns for pasturage and commons, no change shall be made; the towns shall still be maintained in the possession of them."

In the laws of Spain, compiled by order of Don Carlos IV. in 1805, comprising the orders, decrees, and royal resolutions down to 1804, the following is found in Vol. 3, p. 382: "Our will and pleasure is, that the cities, towns and villages shall retain their rights, revenues and municipal domains (*propios*), and that no grants be made of them; wherefore we command that all grants of the same, or any part thereof, which we may make to any person, be of no value whatever."

Again, in same vol., p. 477, "We ordain that all the reservations, timber lands, lands and hereditaments belonging to the councils of our cities, towns and villages, within our kingdoms and seigneuries, which have been taken and occupied by any persons on their own authority or by virtue of any letters of ours, be forthwith restituted and restored to the said councils to which they belong; but we forbid such councils to work the same, or to sell or alien them, unless it be for the common advantage of said cities, towns or villages to which they belong."

In the founding of cities and settlements a liberal policy was pursued by Spain. In the Laws of the Indies, before cited, it was declared that "If the situation of the land be adapted to the founding of any town to be peopled by Spaniards, with a council of ordinary *alcaldes* and *regidores*;* and, if there be persons who will contract for their settlement, the agreement shall be made upon the following conditions: That within the prescribed time it shall comprise at least thirty heads of families, each of whom to possess a house, ten breeding cows, four steers, or two steers and two young bullocks, a breeding mare, a breeding sow, twenty breeding ewes from Castile, and six hens and a cock; he shall, moreover, appoint a priest to administer the sacraments, who, the first time, shall be of his choice, and afterwards according to our royal patronage: he shall provide the church with ornaments and articles necessary for divine worship; and he shall

* *Regidores*—Members of the municipal council.

give bond to perform the same within said period of time; and if he fail in fulfilling his agreement, he will lose all that he may have built, worked, or repaired, which shall be applied to our royal patrimony, and incur the forfeiture of one thousand ounces of gold to our Chamber [camera;] and if he should fulfil his obligations, there shall be granted to him four square leagues of territory, either in a square or lengthwise, according to the quality of the land, in such a manner, that, when located and surveyed, the four leagues shall be in a quadrangle, and so that the boundaries of said territory be at least five leagues distant from any city, town, or village inhabited by Spaniards, and previously settled, and that it cause no prejudice to any Indian tribe, nor to any private individual.”* And again, “Whenever particular individuals shall unite for the purpose of forming new settlements, and among them there shall be a sufficient number of married men for that purpose, license may be granted to them, provided there be not less than ten married men, together with an extent of territory proportioned to what is stipulated; and we empower them to elect, annually, from among themselves, ordinary alcaldes and officers of the council.”†

And in regard to the laying out of towns, “The Viceroy and Governors, being thereto authorized, shall lay out for each town or village which shall be newly founded and peopled, the lands and lots which they may want, and the same shall be granted to them as reservations (*propios*) without prejudice to third persons. They shall transmit to us information of what they shall have laid out, that we may order the same to be confirmed.”‡

Such was one of the modes by which new towns and cities were commenced. Another, by which the distant parts of Spain were attempted to be colonized and settled, was the establishment of *Missions*, whose first especial care and duty was to christianize and bring under subjection the native Indians. This being done, the populating and settling of those parts became of easy and safe accomplishment. At an early day, the Viceroy of New Spain, carrying out this policy, authorized the establishment of Missions in California, commencing with San Diego, and gradual-

* Lib. IV. Tit. 5. Law 6.

† Ib. Lib IV. Tit. 5. Law 10.

‡ “ “ Tit. 13. Law 1.

ly proceeding further to the north. For the protection of these establishments, Presidios, with military commandants or captains, were formed near to the Missions. To the Priests was confided the spiritual, and to the Commandants of the Presidios, the temporal affairs of the settlements.

In a report on the subject of these Missions, made by the Viceroy to the King in 1793, he says, "It does not appear that any judicial formality has been observed for the designation of limits or boundaries of each Mission; the extinguished order" (meaning the Jesuits) "established them arbitrarily, without any other rule than that of a prudent consideration to the distance from one Mission to another, in proportion as the spiritual conquests went forward; and this mode has continued the practice unto the present time, in all the peninsula."

The priests of the Missions, the soldiers of the Presidios and the converted Indians for sometime constituted the only population of these establishments. Marriage between the soldiers and Indian girls of the Mission was encouraged, that a permanent population might be secured, the intention of the government being that these establishments should become the nucleus or embryo of future pueblos or towns. In the instructions of the Viceroy to the commandants, dated August 17th, 1773, he says, "As the Mission settlements are hereafter to become cities, care should be taken in their foundation that the houses should be built in line with wide streets and good market squares," &c.; also, he says, "with the desire that population may be more speedily assured in the new establishments, I for the present grant the commandant power to designate common lands, and also even to make individual concessions to such Indians as may most dedicate themselves to agriculture and the raising of cattle, for having property of their own, the love of it will cause them to plant themselves more firmly"; and also, "I grant the same faculty to the commandant with respect to distributing lands to the other settlers, according to their merit and ability to improve."

This is the first and earliest authority that is found for the granting of lands within these settlements, to individuals. In a letter from the Commandant General of the Internal Provinces of the west to the commandant of California, dated March 22nd, 1791, he says, "In conformity with the opinion of the

solicitor of this commandancia general, I have determined, in a decree of this date, that notwithstanding the provision made in the 81st Article of the Ordinance for the establishment and instruction of *Intendants*, the Captains of Presidios are authorized to grant and distribute house lots and lands to the soldiers and citizens, who may solicit them to fix their residences on. And considering the extent of four common leagues, measured from the centre of the Presidio square, viz: two leagues in every direction, to be sufficient for the new pueblos to be formed under the direction of said Presidios, I have likewise determined, in order to avoid doubts and disputes in future, that said captains restrict themselves henceforward to the quantity of house lots and lands within the said four leagues, without exceeding in any manner said limits, leaving free and open the exclusive jurisdiction belonging to the managers of the royal hacienda, respecting the sale, composition and distribution of the remainder of the lands in the respective district. And that this order may be punctually observed and carried into effect, you will circulate it to the captains and commandants of the Presidios of your province, informing me of having done so." This, together with the law of the Indies on the subject of founding new cities, hereinbefore quoted, appears to have been the regulation in regard to the limits of the pueblos, and the early authority for making grants within those limits. By a late law, Ayuntamientos or Town councils were authorized to be formed for the government of the pueblos.—The decree of the Spanish Cortes of 23d of May, 1812, says, "The general and extraordinary Cortes, convinced that it is equally important to the welfare and tranquillity of families and the prosperity of the nation that Ayuntamientos be established in such towns where it is proper that they should be instituted, and which have not hitherto enjoyed the benefit thereof as well as to avoid the doubts which might arise in the execution of what has been prescribed on this subject in the constitution, and to establish a uniform rule for the appointment, form of election, and the number of its members, decree as follows :

1. Every town which has no Common Council, and the population of which does not amount to one thousand souls, and which, on account of the peculiar condition of its agriculture,

industry or population, requires a Common Council, will make the same known to the deputation of the province, in order that by virtue of this information they may apply to the government for the requisite permission.

4. As it cannot fail to be proper that there should exist between the government of the town and its inhabitants, such proportion as is compatible with good order and its better administration, there shall be one Alcalde, two Regidores,* and one Procurator Syndic,† in all towns which do not have more than two hundred inhabitants; one Alcalde, four Regidores and one Procurator, in those the population of which exceeds two hundred but does not exceed five hundred inhabitants; one Alcalde, six Regidores and one Procurator in those which possess five hundred, but the population of which does not amount to one thousand inhabitants. Two Alcaldes, eight Regidores and two Procurator Syndics, in towns having from one thousand to four thousand inhabitants, and the number of regidores will be augmented to twelve in those towns which have more than four thousand inhabitants."

In a decree of the year subsequent it was ordered as follows: "The general and extraordinary Cortes considering that the reduction of common lands to private ownership, is one of the measures most imperiously required for the weal of the pueblos, and the encouragement of agriculture and industry, and wishing at the same time to provide, with that class of lands, some help to the public necessities, a reward to well meriting defenders of the country, and succor to citizens who are not proprietors, decree: 1. All vacant or royal lands, and lands for municipal uses both in the peninsula and adjacent islands, and in the provinces beyond sea, except the commons necessary to villages, shall be reduced to private property, provided that, in the lands for municipal uses, their annual rents shall be supplied by the most proper means, which, proposed by the respective provincial deputation, shall be approved by the Cortes.

2. In whatever mode those lands shall be distributed, it shall be in full and separate ownership, so that their owners may enclose them (without prejudice to the paths, crossings, watering

* *Regidor*—a Town Councillor.

† *Procurator Syndic*—an Attorney

places and servitudes,) enjoy them freely and exclusively, and appropriate them to the use or cultivation to which they are adapted ; but they shall not be able to entail them, nor to transfer them, at any time, or in any manner, in *mortmain*.

17. The measures necessary for these concessions shall be made without any charges, by the Ayuntamientos, and the provincial deputations shall approve them."

There had been no change in the foregoing laws and decrees up to the year 1821, when Mexico threw off the yoke of Spain and declared itself a free and independent Republic. The federation was divided into states and territories, Upper California being named among the latter, and the legislative power vested in a general Congress which had the exclusive right to grant laws and decrees for the interior administration of the territories. The first established decree on the subject of the colonization of the territories was of the eighteenth of August, 1824, and was in the words following :

"The sovereign general constituent Congress of the United Mexican States has held it proper to decree :

1. The Mexican nation offers to foreigners who shall come to establish themselves in its territory, security in their persons and in their property ; provided, they subject themselves to the laws of the country.

2. Those lands of the nation, which, not being private property, nor belonging to any corporation or town, may be colonized.

3. To this effect the Congress of the States shall form with the least delay laws or rules of colonization for their respective limits conforming themselves in all respects to the constitutive act, the general constitution and the rules established in this law.

4. Those territories comprehended within twenty leagues of the boundaries with any foreign nation, or within ten leagues of the sea coast, shall not be colonized without the approbation previously obtained from the supreme general executive power.*

5. If for the defence or security of the nation the government of the federation should find it expedient to make use of any

*To *Micheltorena* who succeeded *Alvarado* as Governor, power was given by the general government to make grants within those limits as well as beyond.

portion of those lands to construct warehouses, arsenals, or other public edifices, it may do so with the approbation of the general Congress or in its recess with that of the government council.

6. There shall not before the expiration of four years from the publication of this law, be imposed any duty on the entrance of foreigners, who shall come to establish themselves for the first time in the nation.

7. Prior to the year 1840, the general Congress shall not prohibit the entrance of foreigners to colonize, except imperious circumstances oblige it to do so with respect to the individuals of some other nation.

8. The government without prejudicing the objects of this law, shall take the measures of precaution, which it may judge proper for the security of the federation with respect to foreigners who come to colonize.

9. In the distribution of lands, Mexican citizens are to be preferred, and between them no distinction shall be made, except such only as is due to special merit and services rendered to the country, or in equality of circumstances, residence in the place to which the lands to be distributed are pertinent.

10. Military persons, who agreeably to the proffer of 27th March, 1821, may be entitled to lands, shall be attended to in the States, on exhibiting the diplomas which to this effect the supreme executive authority shall deliver to them.

11. If by the decrees of capitalization according to the probabilities of life, the supreme executive power should think proper to alienate some portions of the land, in favor of any officers of the federation, either civil or military, it may do so of the vacant lands in the territories.

12. It shall not be permitted to unite in one hand as property more than one league square of five thousand varas* of irrigable land, four in superficies of farming land not irrigable, and six in superficies for stock raising.

13. The new settlers shall not transfer their property in mortmain.

14. This law guarantees the contracts, which empresarios† shall make with families whom they bring at their own expense, provided that they be not contrary to the laws.

* *Vara*—Of Spain was 3 English feet, of Mexico 32 4-10 English inches. See U. S. Ordinance Manual of 1850.

† *Empresarios*, those who introduce at least 200 families.

15. No one who by virtue of this law shall acquire lands in ownership, shall be able to preserve them, being domiciliated without the territory of the Republic.

16. The government, conformably to the principles established in this law, shall proceed to the colonization of the territories of the Republic."

In continuation of the decree thus made and to carry out its intentions more in detail, certain regulations were adopted on the 21st of November, 1828, of which the following is a translation :

"It being provided in the 16th article of the general colonization law of the 18th August, 1824, that the government, in conformity with the principles established in said law, shall proceed to the colonization of the territories of the Republic ; and it being desirable, in order to give said article the most punctual and exact fulfilment, to dictate some general rules for facilitating its execution in such cases as may occur, his Excellency has seen fit to determine on the following articles .

1st. The Governors of the territories are authorized (in compliance with the law of the general Congress of the 18th of August, 1824, and under the conditions hereafter specified,) to grant vacant lands in their respective territories, to contractors (empresarios), families, or private persons, whether Mexicans or foreigners, who may ask for them for the purpose of cultivating or inhabiting them.

2d. Every person soliciting lands whether he be an empresario, head of a family, or private person, shall address to the Governor of the respective territory, a petition setting forth his name, country, profession, the number, description, religion, and other circumstances of the families, or persons with whom he wishes to colonize, describing, as distinctly as possible by means of a map, the land asked for.

3d. The Governor shall proceed immediately to obtain the necessary information whether the petition embraces the conditions required by the said law of the 18th August, both as regards the land and the candidate, in order that the petitioner may at once be attended to, or if it be preferred, the respective municipal authority may be consulted, whether there be any objection to making the grant.

4th. This being done, the Governor will accede or not to said petition, in exact conformity to the laws on the subject, and especially the before-mentioned one of the 18th August, 1824.

5th. The grants made to families or private persons, shall not be held to be definitively valid without the previous consent of the territorial deputation; to which end the respective documents (expedientes) shall be forwarded to it.

6th. When the Governor shall not obtain the approbation of the territorial deputation, he shall report to the Supreme Government, forwarding the necessary documents for its decision.

7th. The grants made to empresarios for them to colonize with many families, shall not be held to be definitively valid until the approval of the Supreme Government be obtained, to which the necessary documents must be forwarded, along with the report of the Territorial Deputation.

8th. The definitive grant asked for, being made, a document, signed by the Governor, shall be given, to serve as a title to the party interested, wherein it must be stated, that said grant is made in exact conformity with the provisions of the laws in virtue whereof possession shall be given.

9th. The necessary record shall be kept in a book prepared for the purpose, of all the petitions presented, and grants made, with the maps of the lands granted, and a circumstantial report shall be forwarded quarterly to the Supreme Government.

10th. No stipulation shall be admitted for a new town, except the contractor bind himself to present, as colonists, at least twelve families.

11th. The Governor shall designate to the new colonist a proportionate time within which he shall be bound to cultivate or occupy the land on the terms, and with the number of persons or families which he may have stipulated for; it being understood, that if he does not comply, the grant of the land shall remain void. Nevertheless the Governor may revalidate it in proportion to the part which the party may have fulfilled.

12th. Every new colonist, after having cultivated or occupied the land agreeably to his stipulation, will take care to prove the same before the municipal authority, in order that, the necessary record being made, he may consolidate and secure his right of ownership, so that he may dispose freely thereof.

13th. The union of many families into one town, shall follow, in its formation, interior government and policy, the rules established by the existing laws of the other towns of the republic, special care being taken that the new ones shall be built with all possible regularity.

14th. The minimum of irrigable land to be given to one person for colonization, shall be two hundred varas square. The minimum of land not irrigable, shall be eight hundred varas square; and the minimum for breeding cattle, shall be twelve hundred varas square.

15th. The land given for a house lot shall be one hundred varas.

16th. The spaces which may remain between the colonized lands may be distributed among the adjoining proprietors, who shall have cultivated theirs with the greatest application, and have not received the whole extent of the land allowed by the law; or to the children of said proprietors, who may ask for them, to combine the possessions of their families; but, in this respect, particular attention must be paid to the morality and industry of the parties.

17th. In those territories where there are Missions, the lands occupied by them cannot be colonized by them at present, nor until it is determined whether they are to be considered as the property of the establishments of the *neophytes catechumens*,* and *Mexican colonists*."

These were the decrees to which the Territorial Governors and Legislative Bodies were subject, and by which they were to be guided in the settlement of the territories and the disposal of land within their limits. They are found referred to, in the *Expedientes* on file among the Government Archives, as late as June, 1846, and it is therefore supposed that they were in full force when possession was taken of California by the United States forces, and the American flag raised in July, 1846.

It will be seen, by reference to the 17th Section of the Act of 1828, that the *Missions* were not to be included in the lands to be colonized by the Territorial Authorities, until it could be de-

* *Neophyte catechumen* was a term applied to the newly converted Indians.

terminated whether they were the *property* of those establishments.

San Francisco was, at this time, one of the Missions, being sometimes known by the name of *San Francisco de Assis*, and sometimes by that of *Dolores*; having been established, as appears from a report made by the Viceroy of New Spain to the King, in 1793, on the 9th day of October, 1776, in latitude $37^{\circ} 56'$.

The only data by which the Commissioners could obtain any information as to the limits of this Mission, was from the language used in some of the *Expedientes*, in which certain lands granted are described as being bounded by the Mission of San Francisco; as, for instance, *Expediente* No. 20 is the title of Jose Sanchez to a tract of land known as "*Buriburi*," consisting of four leagues, and is described as being bounded "North by the Mission of San Francisco, South by San Mateo, East by the shores of the Bay, and West by the Rancho de la Costa." *Expediente* No. 179 is a grant to Tiburcio Vasquez, of about 3 leagues of land known as "*Corral de Tierra*," and described as "On the Coast, about 6 leagues South from the Establishment of Dolores, and separated from it by the intermediate ranchos of San Pedro, belonging to Francisco Sanchez, and of the Laguna de la Merced, belonging to Francisco de Haro."

These descriptions would locate the southern boundary line of the Mission about eight miles north of the Creek of San Mateo.

North of that line, and between the Bay and the Ocean, no grants were made prior to the Act of Secularization, passed by the Mexican Congress on the 17th of August, 1833; and by which the Mission lands of California were authorized to be secularized, and the establishments themselves to be converted into Pueblos. By this change, the lands so secularized became subject to the general Colonization Law of August 18th, 1824, and of November 21st, 1828, and were authorized to be granted in the same manner as the other vacant lands of the Territory.

The decree of the Mexican Congress referred to, was as follows:

Art. 1. The Government will proceed to secularize the Missions of Upper and Lower California.

Art. 2. In each of said Missions a parish shall be established

under the charge of a parish priest of the secular clergy, with a salary of from \$2000 to \$2500 per annum, at the discretion of the Government.

Art. 3. These parish curates shall not exact any emolument for marriages, baptisms, burials, or any other religious functions. With respect to fees of ceremony, they may receive such as shall be expressly stipulated in the tariff to be formed for that object, with as little delay as possible, by the reverend bishop of the diocese, and approved by the Supreme Government.

Art. 4. The churches which have hitherto served the different Missions, and the sacred vessels, ornaments, and other appurtenances now belonging to them, shall be assigned to those new parishes, and also such buildings annexed to the said churches as the Government may deem necessary for the use of said parish.

Art. 5. The Government will order a burial ground to be erected outside of each parish.

Art. 6. There shall be \$500 per annum assigned to each parish as a donation for religious worship and servants.

Art. 7. Of the buildings belonging to each Mission, the most appropriate shall be designated for the habitation of the Curate, with the addition of a lot of ground, not exceeding two hundred varas square, and the remaining edifices shall be specially adjudicated for a court-house, preparatory schools, public establishments, and workshops.

Art. 8. In order to provide quickly and efficaciously for the spiritual necessities of both Californias, a vicar generalship shall be established in the capital of Upper California, the jurisdiction of which shall extend to both territories; and the reverend diocesan shall confer upon its incumbent the necessary faculties as fully as possible.

Art. 9. For the dotation of this vicar generalship, \$3000 per annum shall be assigned, but the vicar shall be at all the expenses of his office, and not exact, under any title or pretext, any fee whatever.

Art. 10. If, for any reason, this vicar generalship shall be filled by the parish curate of the capital of any other parish in those districts, said curate shall receive \$1500 yearly, in addition to the donation of his curacy.

Art. 11. No custom obliging the inhabitants of California to

make oblations, for whatever pious uses, although they may be called necessary ones, can be introduced.

Art. 12. The Government will procure that the reverend diocesan himself concur in carrying into effect the object of this law.

Art. 13. When those new curates are named, the Supreme Government will gratuitously furnish a passage by sea for them and their families, and, besides that, may give to each one from \$400 to \$800 for their journey by land, according to the distance and the family they take with them.

Art. 14. Government will pay the passage of the missionary priests who return to Mexico; and in order that they may comfortably reach their convents by land, it may give to each one from \$200 to \$300, and, at its discretion, what may be considered necessary for those to leave the Republic who have not sworn to the independence.

Art. 15. The Supreme Government will provide for the expenses comprehended in this law, out of the product of the estates, capitals, and revenues at present recognized as the piety fund of the Missions of California."

To carry out the intentions of this law, and in accordance with the former usage of Spain in the formation of Pueblos hereinbefore referred to, and which does not seem to have been abolished, the territorial deputation of California, on the 6th day of August, 1834, passed an Act containing the following articles:

"1. The Ayuntamientos shall make application, through the usual channels, requesting lands to be assigned to each Pueblo for *egidos** and *propios*.†

2. The lands assigned to each Pueblo for *propios* shall be subdivided into middling sized and small portions, and may be rented out or sold at public auction, subject to an emphyteutic rent or tax; the present possessors of lands belonging to the *propios* will pay an annual tax, to be imposed by the Ayuntamiento, the opinion of three intelligent and honest men being first taken.

3. For the grant of a house-lot for building on, the parties

* *Egidos*—the common lands outside the population.

† *Propios*—the possessions which a city had for its municipal expenses.

interested shall pay six dollars and two rials for each lot of one hundred varas square, and in the same manner for a larger or smaller quantity, at the rate of two rials for each vara front."

On the 9th of the same month, Jose Figueroa, then Governor of California, issued the following as the regulations to be observed in carrying out the secularization of the Missions :

Art. 1. The Governor, agreeably with the spirit of the law of August 17th, 1833, and with the instructions which he has received from the Supreme Government, will, with the co-operation of the prelates of the missionary religion, partially convert into Pueblos the Missions of this Territory, beginning with the next month of August, and commencing at first with ten Missions and afterwards with the others.

Art. 2. The Missionary religious functionaries will be exonerated from the administration of the temporalities, and will confine themselves to matters appertaining to the Spiritual Administration, until the formal division of parishes be made, and the Supreme Government and Diocesan provide Curates.

Art. 3. The Territorial Government will reassume the administration of temporalities, in the directive part, according to the following basis.

Art. 4. The Supreme Government will, by the most speedy mode of communication, be requested to approve these provisional regulations.

Art. 5. To every individual, the head of a family, and to all those above twenty-one years of age, although they have no family, a lot of land, whether irrigable or not, of not exceeding 400 varas square, nor less than 100, shall be given, out of the common lands of the Mission, and, in community, a sufficient quantity of land shall be allotted them for watering their cattle. Common lands shall be assigned to each Pueblo, and, when convenient, municipal lands also.

Articles 6 and 7 relate to the distribution of the moveable property, one half of same being reserved.

Art. 8. The remainder of all the lands, landed property, cattle, and all other property, will remain under the care and responsibility of the Mayor domo, or other officer, whom the Government may name, at the disposal of the Supreme Federal Government.

Art. 9. From the common mass of this property, the subsistence of the Missionary Padres, the pay of Mayor domos and other servants, the expenses of religious worship, schools, and other objects of Police and ornament, shall be provided.

Art. 10. The Governor having under his charge the direction of temporal affairs, will determine and regulate, according to circumstances, all the expenses necessary to be laid out, as well or the execution of this plan, as for the conservation and augmentation of this property.

Art. 11. The Missionary Minister will select the locality in the Mission which may best suit him, for his own habitation and that of his servant and attendants, and he shall be furnished with the necessary furniture and implements.

Art. 12 provides for the care of the library and church furniture.

Art. 13. General inventories shall be made of all property on hand in each Mission, with due separation and explanation of the different branches; of the debit and credit accounts, and all kinds of papers relating to the amounts owed by and to the Mission, which documents and accounts shall be forwarded to the Supreme Government.

Art. 14. The political government of the Pueblos shall be organized in perfect conformity with the existing laws. The Government will give the necessary instructions to have Ayuntamientos established and elections made.

Art. 15. The economical government of the Pueblos shall be under the charge of the Ayuntamientos; but as far as regards the administration of justice, in litigated matters, they will be subject to the primary judges of the nearest towns constitutionally established.

Articles 16 and 17 require the emancipated Indians to continue, for the present, their labors in the cultivated lands which remain undisposed of, and their personal services to the Missionary priests. Arts. 18 and 19 prohibit the alienation of lands or sale of cattle by the Indians, under penalty of forfeiture, and provide that the lands of persons dying without heirs shall revert to the nation.

Art. 20. The Governor may name such Commissioners as he shall see fit, to carry this plan and its incidents into effect.

Art. 21. The Governor is authorized to resolve any doubts or matters which may arise, relative to the execution of these Regulations.

Art. 22 prohibits the slaughtering of cattle in large numbers by the Missionary Fathers, before these Regulations are put in force.

Art. 23. The debts of the Missions shall be paid, in preference, out of the common mass of the property, at the time and in the manner that the Governor shall determine. And in order that these Regulations be exactly complied with, the following rules shall be observed."

These rules, which are twelve in number, point out, more particularly, the mode of executing the foregoing orders. By the 9th and 10th it is provided, that Rancherías, situated at a distance from the Missions, and containing more than twenty-five families, may, if they choose, form a separate Pueblo. Those which do not contain that number, form a Ward or District, and belong to the nearest Pueblo. The remaining regulations relate to the inventories to be taken, of all the real and personal property of the Mission establishments, the conduct of the Commissioners in the discharge of their duties, the measures to be adopted in relation to the Indians, the distribution of lots for cultivation, farming implements, seeds, &c., the payment of the debts, and the appointment of Mayor domos.

On the 3d of November, of the same year, the Legislature, in extra session, confirmed and amended, in some unimportant particulars, the foregoing Regulations, and, on the same day, decreed that "The Governor should direct the Partido of San Francisco to proceed to an election of an Ayuntamiento who should reside in the Presidio, and should be composed of one Alcalde, two Regidores, and one Sindico, being regulated according to the Constitution and the Law of the 10th of July, 1830. The Ayuntamiento should, in the shortest time, mark out the limits of its municipality, and should reduce to its political jurisdiction, the neighborhood of the population."

An Ayuntamiento was formed, but did not continue to reside

at the Presidio, as the proceedings of that body, of the subsequent year, are dated at the *Ex-Mission*.

There is no evidence that the above decree was complied with, so far as the marking the limits of this Municipality is concerned, nor that there were ever any limits or boundaries formally assigned to the Pueblo of San Francisco. What its limits would have been, or what extent of territory it would have been entitled to as a Pueblo, is not known, unless the old law of Spain in regard to the founding of cities was regarded as in force, in which case four leagues was the amount of land authorized to be granted. It is evident that, as late as May 1st, 1844, there were no fixed nor determined limits; for in a grant made on that day by Micheltorena to Francisco and Ramon Haro, of the Potrero of San Francisco, (mentioned in schedule A) the following language is used: "I have resolved to permit them to occupy the Potrero mentioned, subjecting themselves to the measurement which shall be made of the *egidos* of the establishment of San Francisco." By this it appears that the lands of the Pueblo had not been marked out. It is also a fair presumption, that while permission was given to *occupy* the land mentioned, it was contemplated that it would come within the Pueblo lands, and was therefore to be held subject to that contingency.

The land described lies between the old Mission buildings and the Bay of San Francisco, and is bounded on the north by the "Estero de la Peninsula de San Francisco."

After the Act of Secularization, the Territorial Deputation, and also the Governor of the Territory made grants of land in what was called the *Ex-Mission of San Francisco*, sometimes the *Pueblo of San Francisco*, and sometimes the *Pueblo of Dolores*, all of these names being applied to indicate the district comprehended within the former Mission bounds. Down to the 22d of September, 1835, no grants of land, within that district, were made by any of the local authorities. Prior to that date, Jose Joaquin Estudillo had applied to the Legislature for a grant of 200 varas in Yerba Buena. The application had been referred to the Committee on Municipal Lands, who reported in favor of granting him a lot, but not to exceed the number of varas allowed by Article 15 of the Regulations of Colonization, which was 100

varas square. Senor Alvarado, at that time a member of the Territorial Assembly, requested that, in order to stimulate the citizens of that place to form a population, authority might be given in general to the Ayuntamiento of San Francisco to grant house lots at a distance of 200 varas retired from the beach; and submitted the following, which was approved and passed:

“The Ayuntamiento of San Francisco may concede the said house lot, at a distance of 200 varas retired from the shore, and may permit other citizens to establish themselves there within the same restrictions conforming to the general order of the town.”

Under this authority, grants were subsequently made by the local authorities, without prior application to the Governor or Territorial Deputation, except in those cases where the land was within the 200 varas of the Beach, or was greater in quantity than they were authorized to grant. The restriction named in the Act last referred to, was no doubt in force as late as the 20th of April, 1846; for, in reply to a petition of Nathan Spear, made April 19th, 1846, for a grant of 50 varas on the beach in front of his house in Yerba Buena, the Prefect says, “The undersigned has no authority to make the above mentioned grant, as it is near the border of the water.”

On the 20th of March, 1837, a new law for the interior Government of the Departments was passed by the Mexican Congress. Those parts, which refer to the political officers, the mode of their appointment, and their authority, were in substance the following:

“The interior Government of the department shall be under the charge of the Governor, departmental legislature, prefects and sub-prefects, ayuntamientos, alcaldes and Justices of the Peace.” The Governor was to be appointed by the President.

It was the duty of the Governor “to appoint the Prefects, approve the appointment of sub-Prefects of the department, confirm that of Justices of the Peace, and to remove any of these functionaries, having first the opinion of the departmental legislature respecting such removal.”

It was also authorized that “in cases of necessity or for motives of public utility he might in concert with the departmental

legislature grant permission to the Ayuntamiento or authorities in charge of the administration and expenditure of municipal funds, to alienate certain property belonging to the municipal funds; and any cession, donation or contract made without this requisite was null and void."

The departmental legislature was to be composed of seven individuals to be elected, and whose duty it was "to pass laws relative to taxes, public education, industry, trade and municipal administration."

In each district there was to be a Prefect named by the Governor and confirmed by the General Government and to remain in office four years. It was his duty to take care of public order and tranquility in his district with entire subjection to the Governor; to publish without delay, enforce and cause to be enforced, the laws and decrees of Congress which he might receive from the Governor, and circulate them in the towns of the district; to observe and cause to be observed, the decrees and orders of the General Government, the resolutions of the departmental legislature and of the Governor. Also, by his own authority and agreeable to the laws, to regulate the distribution of common lands in the towns of the district, providing no lawsuit was pending in the tribunals respecting them; the parties interested having the right to appeal to the Governor. Also, to cause the sub-Prefects, Ayuntamientos and Justices of the Peace to comply faithfully with their respective obligations, and see that they did not exceed their authority. In the administration and expenditure of the funds of the towns he could exercise the supervision which might be granted to him by the ordinances of the Ayuntamiento. He could also appoint sub-Prefects, sending the appointments to the Governor to obtain his approval. He could name the Justices of the Peace of the District, to be proposed by the sub-Prefects of the different towns, subject likewise to the approval of the Governor.

The sub-Prefects were subject to the same obligations of the Prefects in their respective localities, and had the same faculties, but in all their official duties were subject to the direction of the Prefect of their district.

The capital of the department, ports with a population of

4000 inhabitants, interior towns of 8000 inhabitants, towns which had ayuntamientos previous to 1808, and those to whom this right is given by special law, were entitled to ayuntamientos or town councils, which officers were to be elective. In order to form a quorum for the transaction of any business, more than one-half of the members were required to be present.

The number of Alcaldes, Regidores and Sindicos, should be fixed by the departmental legislature in concert with the Governor, but the first should not exceed six ; the second 12 ; and the third two.

The alcaldes were to be removed every year, half of the regidores the same, and when there were two sindicos one of them ; the first appointed to be first removed ; where there was but one sindico it was required that he should be changed every year.

The ayuntamientos, subject to the sub-Prefects and through them to the Prefects and Governor, were charged with the police, health, comfort, ornament, order and security of their respective jurisdiction. And were required, whenever called upon by the Prefect, sub-Prefect and Alcaldes, to render every assistance towards carrying into execution the laws, decrees and orders, and the preservation of public order. They had the administration and expenditure of the municipal funds to manage, being guided by the ordinances relating thereto, and having in view the expenses approved by government. Within the first two months in the year, they were required to remit to the sub-Prefect, or in default of him to the Prefect, that he might send to the Governor an account with vouchers of the total amount of municipal funds and of the direction given to them during the preceding year. The mal-administration of the funds and the expenditure thereof in a manner not designated by the ordinances of the ayuntamientos, or which had not obtained the approbation of government, involved the pecuniary and personal responsibility of each of its members, who should prove culpable in its management, or who should have given their votes in the resolutions of said corporation ; but those not voting for such resolutions were free from responsibility.

The duties of alcaldes were to take care of good order and public tranquillity in the places of their usual residence. Also to

watch over the execution and fulfilment of the police regulations, laws, decrees and orders which might be communicated to them by the sub-Prefects, or in their defect by the Prefects, and to circulate them duly to the justices of the peace of the municipality.

They were also to assist and have a vote at the session of the ayuntamientos, and to preside over them according to the order of their appointment, when neither the Prefect nor sub-Prefect assisted, and when presiding their vote was to be decisive.

Justices of the Peace were to be named by the Prefect of the district on the recommendation of the sub-Prefect, and were to be established in all the towns and villages of the department; their number in any place to be determined by the departmental legislature and governor.

In places of one thousand inhabitants or more, they had, under subjection to the sub-Prefect and through him to the superior authorities, the same faculties and obligations as the ayuntamientos; but in the management or supervision of municipal funds, were restricted to what might be established in the ordinances to be made by the departmental legislature.

The channels of communication established by this law were not to be deviated from except in extraordinary circumstances, or in case of complaint against some functionary through whose hands the communications ought to be forwarded.

The laws which organized the economic-political government of the department were declared abolished.

By this law San Francisco and the other pueblos of California were governed until the country was taken by the American forces in 1846. The only order, in addition to the foregoing, which the commissioners found, affecting the right to make grants of lots in this district, is the following, being found in the Recorder's office of this city, in a book containing memoranda of grants made by Guerrero, Hinckley, Jesus Noc and other Mexican functionaries:

“Prefecture of the First District. The senior notary of the despatches of the Government of this department bearing date the 16th of the present, tells me what I copy.

• When the Senior Prefect, Don Jose Castro made a visit to the

points of the north he had instructions from the government on various matters, and in them it was ordered that full power was given to grant house lots to persons in the establishment of Dolores. But they should not exceed the number of 50 varas.— This was the disposition and now it is renewed, because His Excellency has seen the note which that Prefecture directed to this secretaryship in January of this year, and His Excellency orders me to say to you that you may notify the Justice of the Peace of San Francisco that in making the grants of house lots, they shall be in as good order and arrangement as possible, and as the situation of the place may require, in order that the streets and plazas which may be formed may have from the beginning proper uniformity and harmony.'

I communicate it to you for your information and fulfilment, and as the contents of his communication which treats upon this subject. God and Liberty,

SEN. JUAN DE CASTRO.

April 23d, 1841,

JOSE F. CASTRO.

Sr. Jues de Paz de San Francisco."

Subsequent to that order the local authorities of San Francisco made grants of 50 vara lots, and refused applications for larger lots for the reason assigned that the Justice had no authority to grant more than 50 varas. The petition of Robert T. Ridley, for 100 varas, mentioned in schedule A, as granted April 2d, 1846, by José de la Cruz Sanchez, Jues de Paz, was addressed to the Prefect for the reason stated in the petition that "the Justice has no power to grant more than 50 varas." Upon the order of the Prefect the Justice subsequently made the grant. The grant by Francisco Sanchez, Jues de Paz, to Francisco Guerrero made Nov. 15th, 1843, states that it is "for 50 varas, as that is the most the law will allow." The grant also by the same Justice to Peter T. Scherrback of date May 1st, 1842, was made by order of the Governor on a petition addressed to him, stating that "the Justice says he has no power to grant," to which is annexed the reply of the Governor; "The Justice of the Peace has the power to grant 50 vara lots."

The laws, orders and decrees, hereinbefore cited and referred to, are all that the commissioners have found bearing upon the questions embraced in the Ordinance mentioned in the commencement of this report. The conclusions which they derive therefrom are the following :

1st. That by the laws of Spain, the extent of land to be granted to any municipality or pueblo on its formation was four leagues.

2d. That the earliest authority for making grants of land in California was that given by the Viceroy of New Spain to the commandants of the interior in Aug., 1773. The next being the order from the commandant general to the commandant of California, in March 1791, authorizing captains of Presidios to grant lots to settlers within the limits of four leagues.

3d. That by a law of Spain of 1812, ayuntamientos were directed to be formed for the government of towns: And by decree of the year following were authorized to make concessions of lands reducing them to private ownership.

4th. That after the independence of Mexico, upon the secularization of the Missions in 1833, said Missions became subject to the general colonization laws of Mexico of 1824 and 1828, and to such of the laws of Spain as had not been repealed or were not inconsistent with the Mexican Constitution. And that by these laws the Governor of California with the approbation of the departmental legislature, had power to make grants of Municipal and other lands.

5th. That by a general territorial law of August, 1834, the ayuntamientos of the pueblos of California were directed to make application for lands to be assigned to them.

6th. That by a special territorial act of November 3d, 1834, the Partido of San Francisco was ordered to elect an ayuntamiento, who were authorized by the act to mark out limits for the municipality, no restriction being given for those limits, nor any instruction as to what they should be.

7th. That by a territorial act of 22d of November, 1835, the ayuntamiento of San Francisco were authorized to make grants of lots not to exceed in size 100 varas square and not to be located within 200 varas of the beach.

8th. That by the law of Mexico of March 20th, 1837, for the

interior Government of the Departments, the Governor, in concert with the departmental legislature might grant permission to the ayuntamientos or other municipal authorities to alienate the property of the municipality.

9th. That by the instructions from the territorial government, to the Prefect of this district of April 23d, 1841, Justices of the Peace in San Francisco were authorized to grant lots of 50 varas, but not more.

All the grants of land lying within the limits of the Mission of San Francisco, so far as those limits can be ascertained, which by reference to the records in this city or to the State archives, appear to have been granted, under the above mentioned laws and decrees, prior to the 9th day of July, 1846, when the American flag was first raised in San Francisco, will be found described in schedule A, of this Report.

The Commissioners would not wish to be understood as giving an opinion upon their validity. Many of them have never been recorded, until a very recent date, and may or may not be bona fide.

The language of many of them will give some idea of the authority, either actual or assumed, under which they were made.

The grant by Martinez, Alcalde, to John Fuller, dated March 14th, 1837, reads thus: "In virtue of the authority in me vested by the most illustrious Ayuntamiento, I hereby grant," &c.

The grant by Guerrero, Jues de Paz, to Juan Vioget, dated January 15th, 1840, commences thus: "In recognition of the superior order of the Departmental Government, directed to this tribunal, I hereby give legal possession," &c.

The grant by Francisco Sanchez, Jues de Paz, to Wm. A. Leidsdorff, dated July 3d, 1843, commences, "In attention to the preceding petition, I, the Jues de Paz of the Jurisdiction of San Francisco, by virtue of authority in me vested, hereby grant," &c. The grant by Guillermo Hinckley, Alcalde, to Carlos W. Flugge, dated March 10th, 1844, commences: "In attention to the preceding petition, I, Guillermo Hinckley, Alcalde of the First Nomination in this Jurisdiction, by virtue of authority in me vested, hereby grant," &c. The grant, by the same Alcalde, to Encarnacion de Bernal, dated December 17th,

1844, commences: "In attention to the preceding petition, and to the superior decree of the Departmental Government, I, Guillermo Hinckley, First Alcalde of this Jurisdiction, hereby give legal possession," &c.

The grant by Juan N. Padilla, Alcalde, to Rosalia Haro, dated April 9th, 1845, commences: "In view of the preceding petition, and the superior decree of the Departmental Government, I, Juan N. Padilla, First Alcalde of this Jurisdiction, give legal possession," &c.

The grant, by the same Alcalde, to Lazaro Pena, dated May 10th, 1845, commences: "In attention to the preceding petition, I, Juan N. Padilla, Alcalde of the First Nomination of the Jurisdiction of San Francisco, by virtue of authority in me vested, hereby grant," &c. The grant by Jose de la Cruz Sanchez to Francisco Sanchez, dated August 10th, 1845, commences: "In attention to the foregoing petition, I, the Constitutional Alcalde of San Francisco, in virtue of the authority in me vested, hereby grant," &c.

The grant by the same Alcalde to William Fisher, dated October 20th, 1845, commences: "In view of the petition which precedes, and of the superior decree of the Departmental Government, I, Jose de la Cruz Sanchez, Alcalde of this Jurisdiction, hereby give legal possession," &c.

Another, by the same Alcalde, to Miguel de Pedrorina, dated November 30th, 1845, reads: "In accordance with the faculties with which I am empowered by the law on the subject, I hereby grant," &c.

The grant by Jose de Jesus Noc, Jues de Paz, to Henry D. Fitch, dated May 14th, 1846, commences: "I, the Jues de Paz of this Jurisdiction, by virtue of the authority in me vested, do hereby grant," &c.

On the 7th day of July, 1846, Commodore John D. Sloat, then in command of the Pacific Squadron, landed at Monterey, and took possession of California in the name of the United States. After raising the American flag, he issued a proclamation to the inhabitants of California, which contained the following passages: "With full confidence in the honor and integrity of the inhabit-

ants of the country, I invite the Judges, Alcaldes, and other Civil Officers, to execute their functions as heretofore, that the public tranquillity may not be disturbed; at least until the government of the Territory can be more definitely arranged.

All persons holding titles to real estate, or in quiet possession of lands, under color of right, shall have those titles guaranteed to them."

On the 8th of the same month, by order of Commodore Sloat, commander Montgomery landed at San Francisco, and raised the American flag here.

On the 23d of July, Commodore Sloat sailed for the United States, leaving Commodore R. F. Stockton in command, who, on the 17th of August, following, issued another proclamation to the people of California, and of which the following was a part :

"The Territory of California now belongs to the United States, and will be governed, as soon as circumstances may permit, by officers and laws similar to those by which the other Territories of the United States are regulated and protected.

But until the Governor, the Secretary and Council are appointed, and the various civil departments of the government are arranged military law will prevail, and the commander-in-chief will be the Governor and protector of the territory.

In the mean time, the people will be permitted, and are now requested to meet in their several towns and departments, at such time and place as they may see fit, to elect civil officers to fill the places of those who decline to continue in office, and to administer the laws according to the former usages of the territory.

In all cases where the people fail to elect, the Commander-in-chief and Governor, will make the appointments himself."

During the same month, Captain J. B. Montgomery then in command at San Francisco, appointed Washington A. Bartlett to the office of Alcalde or Chief Magistrate of San Francisco, and on the 15th of September, following, Mr. Bartlett was *elected* to the same office by the people. In one of the books containing records of lots in San Francisco granted after the change of governments is found the following entry made by Mr. Bartlett :

"Record of original grants of town lots in Yerba Buena, District of San Francisco, granted in conformity with the laws and

usages established by the Executive Government of California for the governance of the alcalde or chief magistrate of San Francisco, as fully set forth in the official archives of the District recorded in the first Register of Titles placed at the opening of this book and other public documents. Therefore, from and after this date all titles issued will be in the manner and form shown on the opposite page, and the record of such grant will be found consecutively placed in the Book of Records.

WASHINGTON A. BARTLETT, Chief Magistrate."

(Form referred to.)

"Territory of California, District of San Francisco.—
Original Grant of Town Lot, No. — .

Whereas, by authority of the late Government of the Department of California, power and authority was given to the Justice of San Francisco to grant lots of land for building and improving the town of Yerba Buena, in the district of San Francisco, as appears by the various orders of said Government issued at Monterey on the twelfth day of November, A. D., 1839, twenty-third of April, 1841, and third of April, 1842; wherein the executive authority of the department declares said authority and power vested in said Justice; and directing that the said Justice exercise the aforesaid powers; and whereas, those powers were exercised by the various successive Justices until the 9th day of July, A. D., 1846, when the district was taken by the arms of the U. S. of America; as an act of war between the U. S. of America and Mexico. And whereas, His Excellency, Robert F. Stockton, Governor and Commander-in-chief of the Californias, by his proclamation, given at Los Angeles on the 17th day of August, A. D., 1846, directs all civil officers 'to administer the laws according to the former usages of the territory.'

Therefore, considering the above described powers as shown by the archives of the magistracy of San Francisco, as in full force, and binding upon me, having been duly elected and confirmed in the magistracy of said district; and considering and admitting the prayer of the petitioner hereunto attached, I Washington A. Bartlett, 1st Magistrate and Justice of San Francisco, in conformity with the regulations and usages recorded in the archives of the magistracy aforesaid: do hereby grant,

convey, and confirm unto the petitioner ———— now resident in said town of Yerba Buena, District aforesaid—the lot of land lying and being in said town, containing an area of fifty Spanish varas square, said lot being numbered ———— on the present plan of Yerba Buena on record in this office, giving unto the said ———— legal, judicial, and perpetual possession thereof unto him the said ————, his heirs and assigns for their own proper use, behoof, and benefit forever, under the following conditions :

1st. The said ———— shall within the term of one year from the date hereof, have said lot, number ———— fenced in, and a house built upon it.

2nd. That said ————, his heirs and assigns, shall conform entirely to the police regulations now established, or that may be established.

3d. That, failing to comply with the 1st article of these conditions, the said ———— his heirs and assigns shall lose all right and title to said lot ; and for the violation of article 2d, shall incur the penalties which may be imposed according to law.

And that the said ———— his heirs and assigns shall have a full and valid title to said lot number ———— and be considered and held in legitimate possession thereof; this Deed of Grant is given under my hand and Seal, and recorded in the archives of Land Titles in the Magistracy of San Francisco, this ———— day of ————, A. D., 184—.”

Mr. Bartlett continued to officiate as Alcalde until about the 20th day of December, 1846, when he was taken prisoner by the Californians, and Mr. George Hyde was appointed temporary Alcalde by Captain J. B. Hull, then military commandant of the northern department of California. Mr. Hyde remained in office for the period of one month, when Mr. Bartlett returned to San Francisco and resumed the duties of his office. On the 22d of February, 1847, he was succeeded by Mr. Edwin Bryant, who was appointed to the office by General S. W. Kearney, then military Governor of California. On the 1st of June, 1847, Mr. Bryant resigned his appointment, and Mr. George Hyde was appointed to succeed him by General Kearney. In September of the same year, Colonel R. B. Mason, then Governor of California, appointed Mr. T. M. Leavenworth to the office of 2d Alcalde of

San Francisco. Mr. Hyde continued in office as First Alcalde, until the 1st of April, 1848, when he resigned his office. Mr. John Townsend succeeded Mr. Hyde, Mr. Leavenworth continuing in the office of Second Alcalde. In June following, Mr. Townsend left the district, and Mr. Leavenworth performed the duties of First Alcalde until elected to that office early in October of the same year. On the 1st of August, 1849, another election for municipal officers was held, and Mr. John W. Geary was elected to the office of First Alcalde, and Mr. Frank Turk to the office of Second Alcalde. On the same day Mr. Horace Hawes was elected Prefect, and Messrs. Joseph R. Curtis and Francisco Guerrero Sub-Prefects of the District, the Prefect being subsequently commissioned by Governor Riley, and the Sub-Prefects by the Prefect.

On the 6th day of January following, Mr. P. A. Brinsmade was appointed Sub-Prefect by the Prefect to fill the place of Mr. Curtis, who had left the country. About the 1st of October, 1849, the Prefect appointed to the office of Justice of the Peace, Mr. G. Q. Colton, to reside at San Francisco; and on the 8th of December following, Mr. F. P. Tracy to the same office, to reside at the "Mission Dolores." These appointments being subsequently approved by the Governor.

The first Town Council or Ayuntamiento that existed in San Francisco after the change of Governments was composed of six members, who were elected by order of Governor Mason, on the 15th of September, 1847, and were to remain in office until January 1st, 1849. In December of 1848 an election was held for a new Council, and seven members elected. The old Council declared the election void for some reasons alleged, and ordered a new election to take place on the 15th of January, 1849, at which time another Council of seven members was elected. Both of the newly elected Councils entered upon the duties of office, and continued to act independent of each other for a month, and until in February, 1849, the inhabitants elected another Council, which was styled "The Legislative Assembly," and was composed of fifteen members. On the 1st of August, 1849, a Council or Ayuntamiento of twelve members was elected, after which time the Legislative Assembly ceased to act. On the 8th of January, 1850, another Council or Ayuntamiento, consisting of twelve

members was elected, this being the last municipal election held prior to the election for officers under the Charter of the City of San Francisco.

Such is a brief history of the Municipal Government of San Francisco, and of the laws to which it has been subject from time to time. It is given with as much accuracy as the imperfect records and limited accessible data would permit. The Chairman of the Board of Commissioners has, since the formation of the Board by your Honorable Body, given his constant and undivided attention to the examination of the records in this city, and the State Archives comprising the laws and proceedings of the Departmental Assembly. It is possible, owing to the confused state of the records, that there may exist, among them some matters of information not discovered in the examination; but the Commissioners believe that all which can throw any light upon the questions presented by the Ordinance creating this Commission, is set forth in this Report.

The Schedule B, annexed, contains those grants of lots in San Francisco, which the Commissioners found so imperfectly described on record as to be unable to fix their locality. They have, therefore, described them in the same language used in the record.

Schedule C comprises 26 lots, each of one hundred varas square, adjacent to the Lagoon, northwest of the surveyed part of the City, the same being laid out upon the official Map of the City, with lines running diagonally to the lots of the fifty vara survey.

Besides the three schedules is a synopsis of all the 100 vara lots numbering 341; and of the 50 vara lots numbering 1532, with the names of the original grantors, grantees, &c., exhibiting also, those lots which, by the records, do not appear to have been granted.

Of the lots within the limits of the 50 vara survey, there are ten of the dimensions of 100 varas square, to wit: numbers 1, 18, 24, 49, 50, 56, 57, 76, 673 and 675. There are also three duplicated upon the official map, to wit: 695, one of that number being on the north-east corner of Stockton and Francisco streets, and the other upon the South side of Francisco, between Stock-

ton and Dupont streets. Also, 709, one of that number being on the south-east corner of Sansome and Pine streets, and the other on the north-west corner of Chesnut and Jones streets. Also, 753, one of that number being on the south-east corner of Francisco and Jones streets, and the other upon the north-east corner of Stockton and Geary streets. In the 100 vara survey there have been omitted, in the numbering of the lots on the map, 16 numbers, to wit ; 98, 99, 100, 101, 102, 117, 118, 119, 120, 121, 122, 123, 124, 125, 236, 237.

Besides the grants of lots mentioned in the schedules and synopsis of this report, there were many grants, of lots in the neighborhood of the old Mission buildings, made by F. P. Tracy, Justice of the Peace ; but as the lots granted were not numbered nor described regularly by any known boundaries, it was found impossible to give a list of them with the description of the land intended to be granted. The record of them will be found in two books now in the Recorder's office in this city.

It will be proper in conclusion to say, that in the translation of many of the documents referred to herein, the commissioners availed themselves of prior and very accurate translations which had been made by J. Halleck, Esq., and also by Joseph M. White in his "Recopilacion of the laws of Spain and the Indies." Also, that very essential aid was given by Major Canby, who has charge of the Government Archives now at Benicia, in pointing out laws and other important information to be found therein.

All which is most respectfully submitted.

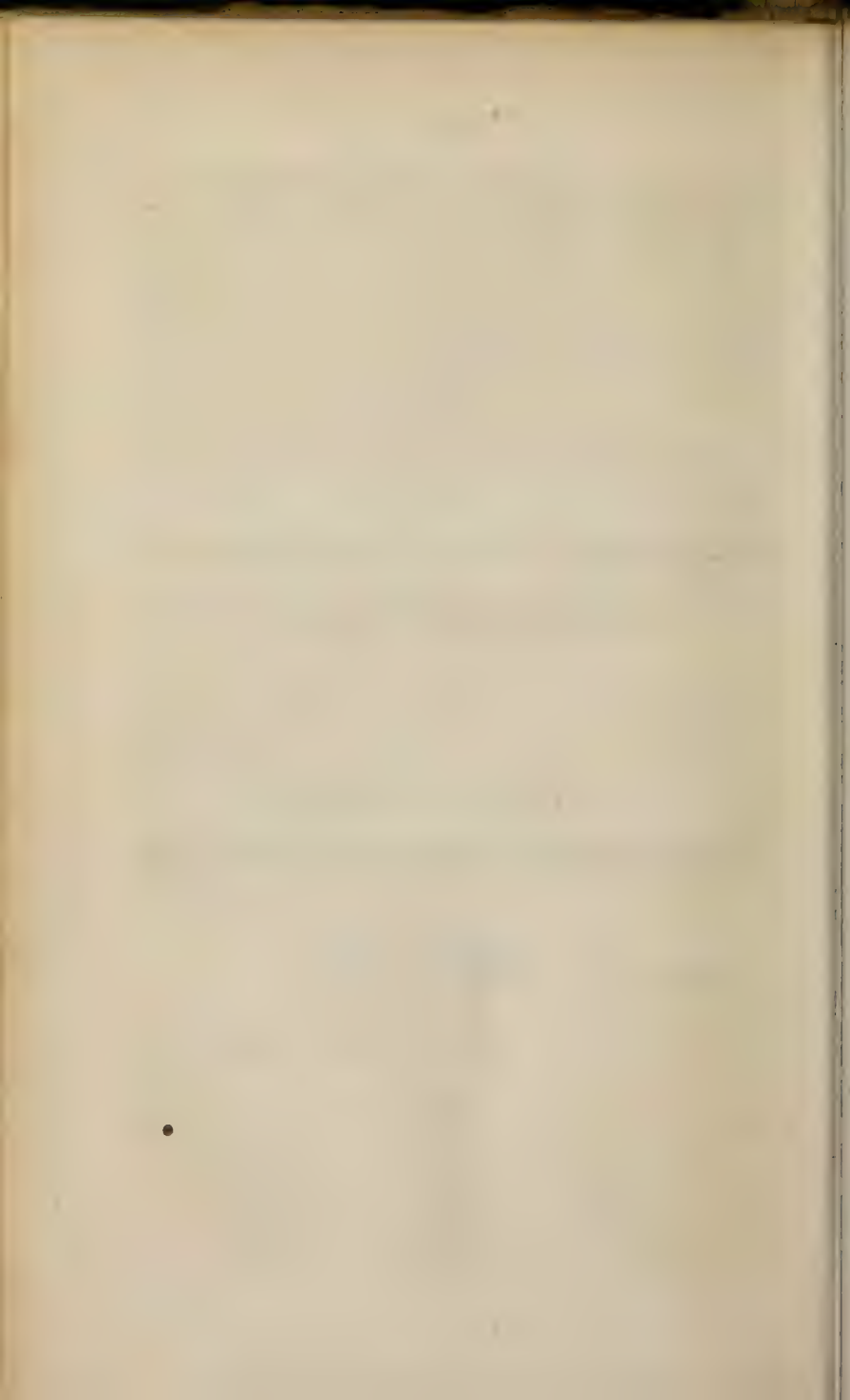
ALFRED WHEELER,	}	COMMISSIONERS.
AUGUSTUS MORRIS,		
A. A. SELOVER,		

San Francisco, January 4th, 1851.

SCHEDULES

AND

SYNOPSIS.



SCHEDULE A,

Containing grants of Land within the limits of the Mission "Dolores," made during the administration of Mexican Government in California.

Q'ty. of land.	Date.	Grantor.	Grantee.	Location and description.
1 league by $\frac{1}{4}$ league	Sept. 23, 1835	José Castro, Governor.	José Antonio Galindo.	Laguna de la Merced.
100 varas	June 2, 1836	José Joaquin Estudillo, Al'e.	Guillermo A. Richardson.	In front of the Beach, in the point of Yerba Buena.
100 varas	July 8, 1836	do	Jacob P. Leese.	In front of the beach in the point of Yerba Buena, not to be located within 200 varas of the shore.
400 varas	Nov. 30, 1836	Nicholas Gutierrez, Gov'or.	Francisco Guerrero.	On a flat which forms a plain to the N. W. of the Mission as far as the Yerba Buena road.
100 varas	Nov. 8, 1837	Ignacio Martinez, Alcalde.	Francisco Sanchez.	North of the house of Wm. Richardson in Yerba Buena.
100 varas	Mar. 14, 1837	Ignacio Martinez, Alcalde.	John Fuller.	In Yerba Buena to the S. E. of the houses built.

SCHEDULE A—CONTINUED.

Q'ty. of land.	Date.	Grantor.	Grantee.	Location and Description.
200 varas in length	Dec. 7, 1837	Ignacio Martinez, Alcalde.	Juan Fiel.	On the border of the mountain, in front of the highway to the Mission.
100 varas	M'ch 30, 1838	Francisco de Haro.	Francisco Caseres.	In Yerba Buena, near the high lands.
200 x 50 v	Dec. 1, 1838	do	William Gulnac.	Island of Yerba Buena, in Bay of San Francisco.
	Nov. 8, 1838.	Juan B. Alvarado, Gov'r.	Juan Castro.	In Yerba Buena.
100 varas	Jan. 18, 1839.	do.	Salvador Vallejo.	In Yerba Buena.
50 varas	April 18, 1839	José Castro, Prefect.	José Pena.	In Yerba Buena.
200 x 100 v	May 21, 1839.	Juan B. Alvarado, Gov'r.	Salvador Vallejo and Jacob L. Leese.	On the point by the embarcadero of Yerba Buena.
1 league by $\frac{1}{2}$ league	Oct. 10, 1839.	Manuel Jimeno, Governor.	Cornelio Bernal.	Adjoining the Mission of San Francisco, the bay and the land of the visitacion.
100 varas by 50 "	Dec. 1, 1839.	Fran'o. Guerrero, J. de Paz.	Wm. J. Hincley,	In Yerba Buena, grant by order of the Governor.
100 varas.	Dec. 9, 1839.	Fran'o Guerrero, Juez de Paz	Juan C. Davis.	In front of the beach in Yerba Buena. Grant made by order of the Governor.
"	Jan. 15, 1840.	do.	Jacob P. Leese.	Same as above.
50 varas.	do.	do.	Juan Antonio Vallejo.	In Yerba Buena, north of the lot granted to Nathan Spear. Grant by order of the Governor.

SCHEDULE A--CONTINUED.

Q'ty of land.	Date.	Grantor.	Grantee.	Location and Description.
100 x 50 v.	Jan. 15, 1840.	Francisco Guerrero, Jues de Paz.	Juan Vioget.	In Yerba Buena, back of the house of Jacob P. Leese. Grant by order of the Governor.
100 x 50 v.	Jan. 16, 1840.	"	do	In Yerba Buena, on the road to the Mission.
300 varas.	Jan. 21, 1840.	Juan B. Alvarado, Governor.	Jose de Jesus Noc.	Tract named "Camaritos, on the Embarcadero of the Ex-Mission of San Francisco."
100 varas.	Jan. 15, 1840.	Francisco Guerrero, Jues de Paz.	Juan B. Cooper.	In Yerba Buena. Grant by order of the Governor.
50 varas.	Aug. 4, 1840.	"	Gregorio Escalante.	In Yerba Buena, between the lot of Victor Prudon and Antonio Ortega.
"	Nov. 18, 1840.	"	Candelario Valencia.	In the establishment of Dolores.
"	"	"	Leandro Galindo.	do.
"	"	"	Felipe Gomez.	do.
2 sitios.	July 31, 1841.	Juan B. Alvarado, Governor.	Jacob Leese.	Bounded W. by the ranche of Cornelio Bernal, S. by those of Jose Sanchez and Francisco Haro, E. by the Bay and W. by the Camino Real.

SCHEDULE A—CONTINUED.

Q'ty of land.	Date.	Grantor.	Grantee.	Location and Description.
	March 8, '42.	Francisco Sanchez, Jues de Wm. Hinckley.		House-lot in the Establishment of Dolores.
50 varas.	May 1, 1842.	"	Peter T. Scherback.	In Yerba Buena, adjoining lot of Wm. Hinckley.—Grant by order of the Governor.
"	March 8, '42.	"	George Allen.	In the point of Yerba Buena.
50 varas.	Oct. 12, 1842.	"	Carlos Moreno.	In the Establishment of Dolores, adjoining the lot of Candelaria Valencia.
"	April, 1843.	"	Francisco de Haro.	In the point of Yerba Buena.
"	"	"	Vicente Miramontes.	"
"	April 14, 1843.	"	Jesus Noc.	"
"	April 15, 1843.	"	Domingo Feliz.	"
"	"	"	Juan B'ta (name torn off.)	"
100 varas.	June 28, '43.	* Francisco Guerrero, Jues de Francisco de Haro.		In the Establishment of Dolores.
100 x 50 v.	July 3, 1843.	Francisco Sanchez, Jues de Wm. A. Leidsdorff.		In Yerba Buena, fronting, on the west, the lot of Senor Vioget.
50 varas.	Aug. 15, 1843.	"	Bruno Valencia.	In Yerba Buena, next to the house of Gregorio Escalante.
200 varas.	Aug. 20, 1843.	Juan B. Alvarado, Governor.	Domingo Veliz.	At the Mission Dolores north of the Corral.

* The date of this is the date of record.

SCHEDULE A—CONTINUED.

Qty of land.	Date.	Grantor.	Grantee.	Location and Description.
200 varas.	Nov. 15, 1843.	Francisco Sanchez, Jues de Paz.	Francisco Guerrero.	In the point of Yerba Buena, in front of the house of Senor Davis.
"	Dec. 15, 1843.	"	Trinidad Molla.	In Yerba Buena, behind the lot of Vicente Miramonte.
"	"	"	Henry Bee.	In Yerba Buena, adjoining land of Augustus Andrews.
"	"	"	Juan Castanadra.	In Yerba Buena.
"	"	"	Trinidad Maya.	In Yerba Buena, lot No. 54.
"	Oct. 15, 1843.	"	Gregorio Escalante.	In Yerba Buena, east of the house of Prudon.
"	Dec. 27, 1843.	"	John Martin.	In Yerba Buena, adjoining lot of Escalante and John Davis.
100 varas.	March 2, '44.	Manuel Michelorena, Gov.	Francisco Guerrero.	In the Mission of Dolores.
100 varas.	April 1, 1844.	Guillermo Hincley, Alcalde.	Juana Brionis.	In Yerba Buena.
50 varas.	March 10, '44.	"	Carlos W. Flugge.	Lot No. 26 in Yerba Buena.
"	July 12, 1844.	"	James R. Berry.	Lot No. 138 in Yerba Buena.
"	"	"	Robert Ridley.	Lot No. 139 in Yerba Buena.
"	July 19, 1844.	"	Benito Diaz and Juan Prado Mesa.	Lot No. 17 in Yerba Buena.
"	Nov. 13, '44.	"	Carlos Glein.	Lot No. 7 in Yerba Buena.

SCHEDULE A—CONTINUED.

Qty of land	Date.	Grantor.	Grantee.	Location and Description.
50 varas.	Dec. 1, 1844.	Guillermo Hincley, Alcalde.	Edward T. Bale.	Lot No. 136 in Yerba Buena.
"	Dec. 11, '44.	"	Eugenio Montenegro.	Lot No. 6 in Yerba Buena. *
"	Dec. 15, '44.	"	Juan Rose.	Lot No. 83 in Yerba Buena.
"	"	"	Augustin A. Andrews.	Lot No. 104 in Yerba Buena.
"	Dec. 17, 1844.	"	Guillermo Reynolds.	Lot No. 84 in Yerba Buena.
"	"	"	Bona Encarnacion Soto de Bernal.	Lot No. 37 in Yerba Buena.
"	"	"	Joel P. Dedmund.	Lot No. 58, in Yerba Buena.
50 varas.	Dec. 21, 1844.	"	Wm. Richardson.	Lot No. 59, in Yerba Buena.
"	Dec. 24, 1844.	"	Wm. Johnson.	Lot No. 134, in Yerba Buena.
"	"	"	Francisco and Ramon Haro.	Tract known as the Potrero in front of the ex-Mission of San Francisco.
2288x2508 varas.	May 1, 1844.	Micheloreana, Governor.		
50 varas.	April 9, '45.	Juan N. Padilla, Alcalde.	Rosalia Haro.	Lot No. 174 in Yerba Buena.
50 varas.	April 18, '45.	Juan N. Padilla, Alcalde.	Thomas Smith.	Lot No. 66, in Yerba Buena.
"	May 3, 1845.	"	Joaquin Pena.	Lot No. 161, in Yerba Buena.
"	May 10, 1845.	"	Eusebio Soto.	Lot in Yerba Buena, next to that of Gregorio Escalante.
"	"	"	Lazaro Pena.	Lot No. 86 in Yerba Buena.
"	Oct. 20, 1845.	Jose de la Cruz Sanchez, Al.	Wm. Fisher.	Lot No. 61, in Yerba Buena.
"	Aug. 10, 1845.	"	Francisco Sanchez.	Lot in Yerba Buena, south of the house of Wm. Rae.
"	Aug. 22, 1845.	"	Francisco Le Page.	In Yerba Buena, on the border of the shore where there are two roads.

* The record of this grant has been crossed with lines.

SCHEDULE A—CONTINUED.

Qty of land.	Date.	Grantor.	Grantee.	Location and Description.
50 varas.	Nov. 25, 1845.	José de la Cruz Sanchez, Alcalde.	Pedro Estrada.	In Yerba Buena, near the house of Le Page.
"	Nov. 30, 1845.	"	Miguel de Pedrorina.	Lot No. 74, in Yerba Buena.
"	Dec. 7, 1845.	"	Gregorio Brionis.	Lot No. 5, in Yerba Buena.
2 lots of 50 varas each.	Dec. 4, 1845.	Pio Pico, Governor.	Stephen Smith.	On the shore of the lagoon of Yerba Buena, ou the side to the north.
1 sitio.	Dec. 23, 1845.	"	Jose de Jesus Noe.	West of the establishment of Dolores, adjoining the ranches of Francisco de Haro, Robert Riddle, and José Conelio Bernal.
100 varas.	April 2, 1846.	Jose de la Cruz Sanchez, Jues de Paz.	Robert T. Ridley.	In San Francisco, to the north of the lot of Juana Brionis.
50 varas.	April 20, '46.	Francisco Guerrero, Prefect.	Nathan Spear.	Additional lot in front of his house in Yerba Buena.— Grant refused for want of power, the land being on the border of the water.
"	April 22, '46.	Pio Pico, Governor.	Wm. Leidesdorff.	Lot near the water, in Yerba Buena.
600 varas.	May 6, 1846.	"	Jose Andrada.	In front of the establishment of the ex-Mission of San Francisco.

SCHEDULE A--CONTINUED.

Qty of land.	Date.	Grantor.	Grantee.	Location and Description.
50 varas.	May 14, 1846.	Jose de Jesus Noc.	Henrique Fliche.	Lot No. 22, in Yerba Buena.
"	May 15, 1846.	"	Francisco Hoen and George Dohling.	Lot in Yerba Buena.
"	May 20, 1846.	"	Wm. Hinckley.	Lot No. 27, in Yerba Buena.
"	May 22, 1846.	"	E. Grimes.	Lot No. 140, in Yerba Buena.
"	"	"	Maximo Fernandez.	Lot No. 195, in Yerba Buena.
"	May 25, 1846.	"	— Hensley.	Lot No. 191, in Yerba Buena.
"	May 28, 1846.	"	— Reading.	Lot No. 8, in Yerba Buena.
100 x 50 v.	May 29, 1846.	Pio Pico, Governor.	Guillermo Hinckley.	Lot in Yerba Buena.
50 varas.	May 30, 1846.	Jose de Jesus Noc.	José de Leandro Galindo.	Lot in Yerba Buena, in front of the house of Carlos Gilem.
"	June 3, 1846.	"	Esteban Smith.	Lot No. 52 in Yerba Buena, near the Plaza.
"	June 6, 1846.	"	Jose M ^a . St'a. Maria.	Lot No. 6 in Yerba Buena.
"	June 18, 1846.	"	Manuel E. McIntosh.	Lot No. 196 in Yerba Buena.
"	June 19, 1846.	"	Dioniso Garcia.	Lot in Yerba Buena, in front of the house of Senior Ridley.
"	"	"	Francisco Hoen.	Lot No. 62 in Yerba Buena.
"	"	"	Juan Allia.	Lot No. 63 in Yerba Buena.
"	June 20, 1846.	"	Juan Yvain.	Lot No. 60 in Yerba Buena.

SCHEDULE A—CONTINUED.

Qu'ty. of land. ½ a sitio.	Date.	Grantor.	Grantee.	Location and Description.
	July 24, 1846.	Pio Pico, Governor.	Henrique Fitch and Francisco Guerrero.	In the Presidio of San Francisco, adjoining the Ranches of Francisco de Haro, and Jose de Jesus Noe; On the S. E. with the Mission of San Francisco, on the E. with Yerba Buena, and on the N. and W. with the margin of the sea.

SCHEDULE B,

Containing Grants of Lots in San Francisco, indefinitely described; made subsequent to July 9, 1846.

Size of Lot. 100 varas.	Date of Grant.	Grantor.	Grantee.	Location and Description.
"	Jan. 12, 1847.	George Hyde, Alcalde.	Wm. A. Leidsdorff.	On south side of Mission Street or Road.
"	"	"	George Hyde.	do.*
"	Jan. 16, 1847.	"	J. C. Fremont.	On south side of Mission Street or Road.
"	Jan. 16, 1847.	"	Robert T. Ridley.	In the vicinity of the town of Yerba Buena.
"	Jan. 15, 1847.	"	Wm. Mervine.	On north side of Mission Street or Road.
"	Jan. 16, 1847.	"	W. A. Bartlett.	do.*
"	Jan. 14, 1847.	"	Peter T. Sherrback.	On the Mission Street or Road.
"	Feb. 1 1847.	Not signed.	John A. Sutter.	On south side of Mission Street or Road.
"	"	"	G. McKinstry.	do.
"	"	"	Edward McKern.	do.
"	March 9, '47.	Ed'n Bryant, Chief Magistrate.	J. C. Everett.	On south side of Mission Street or Road, and bounded north by lot of George Hyde.

* This Record is crossed out.

SCHEDULE B—CONTINUED.

Size of Lot.	Date of Grant.	Grantor.	Grantee.	Location and Description.
100 varas.	Sept. 2, 1847.	George Hyde, 1st Alcalde.	Nickolas Merriner.	West of the town of San Francisco, adjoining the lot of John Sullivan on the north.
"	"	"	John Sullivan.	To the westward of San Francisco.
100 varas.	Nov. 3, 1847.	"	Victor J. Fourgeaud.	No description given.
"	March 14, '48.	Not signed.	Richard Sullivan.	North of Fort Montgomery.
Triangular lot.	Sept. 29, 1848.	T. M. Leavenworth, Alcalde.	Mills L. Callender.	Bounded north by Greenwich st.
*100x50 v.	Sept. 8, 1848.	"	Henry Gherke.	Bounded north by lot No. 767 and west by lot No. 769.
†100 varas.	Sept. 7, 1848.	"	James Findla.	Bounded north by street dividing it from 583, east by lots Nos. 753 and 754.
† "	Sept. 9, 1848.	"	"	On Market Street, opposite lot No. 126.
† "	Sept. 11, '48.	"	"	On S. W. side of Fourth st. extended, commencing 100 varas N. W. from Market st.
† "	Sept. 12, '48.	"	"	On north side of Market st. opposite lot No. 26.
				On north side of Market st. opposite lot No. 27.

*This Lot was re-conveyed to the city by Henry Gherke, April 8th, 1850.

†This Lot was re-conveyed to the city by James Findla, March 20th, 1850.

SCHEDULE B—CONTINUED.

Size of Lot	Date of Grant	Grantor	Grantee	Location and Description
100 varas.	Sept. 14, '48.	T. M. Leavenworth, Alcalde.	James Findla.	On north side Market street, opposite lot No. 25.
"	Sept. 19, '48.	"	"	On N. E. side of Fourth st. extended, commencing 100 varas N. W. from Market st.
150x100 v.	Jan. 3, 1850.	John W. Geary, Alcalde.	Town of San Francisco	Bounded north by Filbert st., east by Stockton, south by Union, west by Powell.—Appropriated for Public Square by order of Town Council.
"	"	"	"	Bounded north by Post st., east by Stockton, south by Geary, west by Powell.—Appropriated for Public Square by order of Town Council.
100 x 50 v.	Dec. 19, '49.	G. Q. Colton, Justice.	Reuben King	Commencing at N. E. corner of lot No. 21, on Rincon Point, extending south 50 varas, and east 100 varas.
50 varas.	Jan. 7, 1850.	"	Jno. G. McCaraher.	S. W. corner of Harrison and Front streets.

† This Lot was re-conveyed to the City by James Findla, March 20th, 1850

SCHEDULE B---CONTINUED.

Size of Lot.	Date of Grant.	Grantor.	Grantee.	Location and Description
50 varas.	Jan. 1, 1850.	G. Q. Colton, Justice.	Geo. B. Bradford.	On S. E. side of Folsom st., commencing 100 varas N. E. from S. E. corner Folsom and Front.
"	Jan. 9, 1850.	"	Charles P. Bent.	On N. W. side of Harrison st. commencing 50 varas N. E. from N. E. cor. Harrison and Beale.
"	"	"	George Endicott.	S. E. corner Harrison and Beale sts.
"	Jan. 10, 1850.	"	Joseph S. Connolly.	On S. W. side of Front st., commencing 50 varas S. E. from S. W. cor. Harrison and Front sts.
"	"	"	J. B. Bond.	On S. W. side of Spear st., commencing 50 varas S. E. from S. W. cor. Spear and Folsom sts.

Containing 26 Lots of 100 Varas each, lying adjacent to the Lagoon, N. W. of the Fifty Vara Survey of this City.

52

SCHEDULE C—CONTINUED.

53

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how conveyed.
19.	Sept. 25, '48.	T. M. Leavenworth, Alcalde.	Stephen A. Harris.	Grant on Petition.
20.	"	"	John H. Brown.	"
21.	"	"	Stephen A. Harris.	"
22.	Sept. 29, '48.	"	Jackson Jordan.	"
23.	"	"	"	"
"	Dec. 23, '48.	"	Nelson Taylor.	"
24.	Jan. 11, 1849.	"	J. D. Stevenson.	"
25.	Dec. 23, 1848.	"	Nelson Taylor.	"
26.	March 1, '49.	"	Jno. McDougall.	"



SYNOPSIS OF LOTS

OF THE

100 VARA SURVEY.

SYNOPSIS OF LOTS OF THE 100 VARA SURVEY.

No. of Lot.	Date of Grant.	Grantor.	Grantee	Estate, and how Conveyed
1.	Jan. 14, 1847.	George Hyde, Alcalde.	Henry Harris.	Grant on Petition.
"	Dec. 21, 1849.	G. Q. Colton, Justice.	Horatio S. Gates.	"
2.	Jan. 14, 1847.	George Hyde, Alcalde.	W. D. M. Howard.	"
3.	Dec. 21, 1849.	G. Q. Colton, Justice.	John C. Scribner.	"
4.	Jan. 15, 1847.	George Hyde, Alcalde.	Henry Mellus.	"
5.	Dec. 21, '49.	G. Q. Colton, Justice.	Gabriel N. Swezy.	"
6.	Jan. 16, '47.	George Hyde, Alcalde.	William R. Bassham.	"
7.*	March 23, '48.	T. M. Leavenworth, Alcalde.	Mills L. Callender.	"
8.	Jan. 16, '47.	George Hyde, Alcalde.	Jasper O'Farrel.	"
9.	Jan. 14, '47.	"	James G. Dunleavy.	"
10.	Dec. 21, '49.	G. Q. Colton, Justice.	William N. Weeks.	"
11.	Jan. 16, '47.	George Hyde, Alcalde.	Washington A. Bartlett.	"
12.	Jan. 28, '47.	Washington A. Bartlett, Al.	W. John Powell.	"
"	Dec. 21, '49.	G. Q. Colton, Justice.	A. W. Richardson.	"
13.*	Jan. 15, '47.	George Hyde, Alcalde.	Joseph Thompson.	"
14.	Dec. 12, '48.	T. M. Leavenworth, "	James Dunleavy.	"
15.	Jan. 16, '47.	George Hyde, "	Fred. Teschemacker.	"
16.	Dec. 12, '48.	T. M. Leavenworth, "	James Dunleavy.	"
17.	March 4, '47.	Edwin Bryant, Chief Mag.	Josiah Belden.	"
18.*				
19.				

* No record of any grant of this Lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No of Lot.	Date of Grant.	Grantor	Grantee	Estate, and how Conveyed.
20.	Nov. 3, 1847.	George Hyde, 1st Alcalde.	Josiah Belder.	Grant on Petition.
21.	March 11, '47.	Edwin Bryant, Chief Mag.	Jacob Frankfort.	"
22.	April 15, '47.	"	S. K. Woodworth.	"
23.	April 1, 1847.	"	Timothy Murphy.	"
24.	March 16, '47.	"	John C. Buchanan.	"
25.	May 24, 1847.	"	Lazarus Everhart.	"
26.	Oct. 7, 1848.	T. M. Leavenworth, Alcalde.	J. H. Merrill.	"
27.	"	"	"	"
28.*	March 18, '47	Edwin Bryant Chief Mag'te.	J. D. Stevenson.	"
"	July 25, 1847	George Hyde, 1st Alcalde.	James H. Lappens.	"
29.	March 18, '47	Edwin Bryant, Chief Mag'te	Stephen Harris.	"
30.	March 19, '47	"	Thomas O. Larkin.	"
31.	"	"	Thobot H. Green.	"
"	Dec. 21, '49	G. Q. Colton, Justice.	A. W. Richardson.	"
32.	March 4, '47	Edwin Bryant, Chief Mag'te.	John H. Brown.	"
"	Dec. 21, 1849	G. Q. Colton Justice.	Jeremiah H. Pierson.	"
33.	May 31, 1847	George Hyde, 1st Alcalde.	William McDonald,	"
"	Dec. 21, 1849	G. Q. Colton, Justice.	Hervey Sparks.	"
34.	Feb. 3, 1847	Edwin Bryant, Chief Mag'te	Frederick W. Franz.	"
"	Dec. 21, 1849	G. Q. Colton, Justice.	Asa Hull & David B. Castree.	"
35.†	June 5, 1847	George Hyde, 1st Alcalde.	Wm. R. Basham.	"
36.				

* Record crossed out, with mem. "Not taken out according to law—George Hyde, Alcalde" † No record of any grant of this lot

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed— Grant on petition.
37*	March 25, '47	No Signature.	Lewis Adler.	
"	May 19, 1847	Edwin Bryant, Alcalde.	Thomas Eager.	"
38.	"	"	James C. Ward.	"
" †	July 19, 1847.	George Hyde, 1st Alcalde.	Mary Denner.	"
39.	"	"	George Denner.	"
40.	May 24, 1847.	Edwin Bryant, Alcalde.	H. Wager Halleck.	"
41.	Nov. 3, 1847.	George Hyde, 1st Alcalde.	Victor J. Fourgeaud,	"
42.	Oct. 24, 1848.	T. M. Leavenworth, Alcalde.	James A. Hardie.	"
43.	Dec. 26, 1848.	"	Alex. Perry.	"
44.	June 27, 1849.	"	Jonathan D. Stevenson.	"
45.	Jan. 11, 1849.	"	Jonathan D. Stevenson.	"
46.	April 23, '47.	Edwin Bryant, Chief Mag.	J. L. Folsom.	"
47.	April 23, '47.	"	Gustavus A. Cantan.	"
48.	May 24, 1847.	Edwin Bryant, Alcalde.	James Earley.	"
"	Dec. 21, 1849.	G. Q. Colton, Justice.	Ed. F. Northam.	"
49.	June 3, '47.	George Hyde, 1st Alcalde.	Thomas O'Neil.	"
50.	June 3, '47.	"	William Johnson.	"
51.	Oct. 7, 1848.	T. M. Leavenworth, Alcalde.	J. L. Folsom.	"

* Mem. at foot of the record.—"Refused, as it comes within the survey of 50 vara lots. E. Bryant, Chief Magistrate."

† Record erased and mem. at foot of the record :—"This lot has been granted to Jas. C. Ward. John Buchanan."

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
52.	Dec. 30, 1848.	T. M. Leavenworth, Alcalde.	J. B. Marchand.	Grant on Petition.
53.	Dec. 30, 1848.	"	J. L. Green.	"
54.	Dec. 30, '48.	"	Robert T. Maccoon.	"
55.	April 22, '47.	Edwin Bryant, Chief Mag.	William H. Warner.	"
56.	April 22, '47.	"	J. M. Stanley.	"
57.	April 28, '47.	"	Wm. H. Peterson.	"
58.	May 4, 1847.	Edwin Bryant, Alcalde.	Edw. Hopkins Harrison.	"
59.	June 7, 1847.	George Hyde, 1st Alcalde.	Bartholomew McCartney.	"
60.	Oct. 7, 1848.	T. M. Leavenworth, Alcalde.	J. L. Folsom.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	John Smith.	"
61.	Oct. 24, '48.	T. M. Leavenworth, Alcalde.	James A. Hardie.	"
62.	Oct. 24, 1848.	"	"	"
63.	"	"	"	"
64.	May 19, 1847.	Edwin Bryant, Alcalde.	Robert Wells.	"
65.	Jan. 16, 1847.	George Hyde, Alcalde.	Frank Ward.	"
66.	Oct. 4, '47.	George Hyde, 1st Alcalde.	Charles Maxwell.	"
67.	Nov. 3, 1847.	"	Victor J. Fourgeaud.	"
E. $\frac{1}{2}$ of 67.	Jan. 1850.	G. Q. Colton, Justice.	Gustavus Taylor.	"
68.	Dec. 30, '48.	T. M. Leavenworth, Alcalde.	Jacob Crowninshields.	"
69.	March 23, '48.	"	Mills L. Callender.	"
70.	Dec. 26, '48.	"	Alex'r Perry.	"
71.	June 27, 1849.	"	Matthew R. Stevenson.	"
72.	Oct. 7, 1848.	"	Alex'r Perry.	"
73.	Dec. 30, 1848.	"	Thomas Ap Catesby Jones.	"

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
74	Dec. 30, 1848	T. M. Leavenworth, Alcalde.	J. McCormick.	Grant on Petition.
75	Oct. 11, 1847	George Hyde, 1st Alcalde.	Rodman M. Price.	"
76	Dec. 30, 1848	T. M. Leavenworth, Alcalde.	E. J. Bee.	"
77	"	"	J. H. More.	"
78	March 23, '48	"	Mills L. Callender.	"
79*	Dec. 15, 1848	"	J. C. Puls.	"
"	Dec. 30, 1848	"	Henry Gillingham.	"
80	June 26, 1849	"	Henry J. McKinley.	"
81	June 27, 1849	"	Matthew R. Stevenson.	"
"	Dec. 25, 1849	G. Q. Colton, Justice.	A. D. Smith.	"
82	July 26, 1849	T. M. Leavenworth, Alcalde.	Randolph McCooley.	"
83	March 3, 1849	"	Elon S. Marsh.	"
"	Dec. 27, 1849	G. Q. Colton, Justice.	Jacob Lockwood.	"
84	No date.	No Signature.	Elon S. Marsh.	"
85	Jan. 15, 1849	T. M. Leavenworth, Alcalde.	Moses Stoppard.	"
86	Dec. 23, 1848	"	George T. Emmons.	"
87	"	"	"	"
88	June 7, 1847	George Hyde, 1st Alcalde.	Wm. R. Bassham.	"
"	Dec. 23, 1848	T. M. Leavenworth, Alcalde.	Henry Eld, Jr.	"
89	Dec. 30, 1848	"	John Hall.	"
"	No date.	No Signature.	"	Grant on Petition. Erased.

* Record erased, and mem. at foot of Record. "Crossed by me and grant good. T. M. L."

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
90	Oct. 6, 1848.	T. M. Leavenworth, Alcalde.	Jeremiah P. Wilbur.	Grant on Petition.
"	Dec. 18, 1849.	G. Q. Colton, Justice.	Nathaniel Holland.	"
91	Oct. 6, 1848.	T. M. Leavenworth, Alcalde.	Jeremiah P. Wilbur.	"
"	Dec. 18, 1849.	G. Q. Colton, Justice.	Robert Fulton.	"
92.	March 11, '49.	T. M. Leavenworth, Alcalde.	Bernard Nollner.	"
93.	Dec. 30, '48.	"	H. C. Hardy.	"
94.	Dec. 23, '48.	"	Henry Eld.	"
**	No date.	"	J. C. Pullis.	"
95.	Dec. 30, '48.	"	James Riley.	"
96.	Oct. 5, 1847.	George Hyde, 1st Alcalde.	James Murphy.	"
E. $\frac{1}{4}$ of 96.	Jan. 3, 1850.	G. Q. Colton, Justice.	O. McKnight.	"
E. $\frac{1}{4}$ of 97.	Jan. 11, '50.	"	Joseph Kiehl.	"
98.†				
99.†				
100.†				
101.†				
102.†				
103.†				
104.	Dec. 30, 1848.	T. M. Leavenworth, Alcalde.	Sammuel Forest.	"
105.	Dec. 30, 1848.	"	W. E. Boudinet.	"
106.	Oct. 3, 1848.	"	John Townsend.	"
107.	Oct. 6, 1848.	"	Jeremiah P. Wilbur.	"
"	March 11, '49.	"	Bernard Nollner.	"

* Record Erased. † This number not found on the official map of the city.—Alfred Wheeler. ‡ No record of any grant of this Lot

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
107½.	Oct. 7, 1848.	T. M. Leavenworth, Alcalde.	Jeremiah P. Wilbur.	Grant on Petition. This lot is now known as lot 146.
108.	Oct. 6, 1848.	"	"	Grant on Petition. Now known as lot 147.
109.	Dec. 30, '48.	"	Cameron Anderson.	Grant on Petition.
110.*	Dec. 30, '48.	"	John Hall.	"
"	No date.	No signature.	"	"
111.	March 6, '49	T. M. Leavenworth, Alcalde.	Fabius Stanley.	"
E. ½ of 112	Jan. 2, '50.	G. Q. Colton, Justice.	Wm. P. Thompson.	"
113.	Dec. 30, '48.	T. M. Leavenworth, Alcalde.	A. B. Phillips.	"
114	Dec. 30, 1848.	"	Wm. Chandler.	"
115.	Dec. 30, 1848.	T. M. Leavenworth, Alcalde.	Charles Pickering.	"
116.	Dec. 30, '48.	"	S. K. Addison.	"
117.†				
118.†				
119.†				
120.†				
121.†				
122.†				
123.†				
124.†				
125.†	Sept. 20, '47.	Geo. Hyde, 1st Alcalde.	Howard Ackerman.	"
126.	Aug. 31, 1847.	George Hyde, 1st Alcalde.	Michael Sullivan.	"

Record erased. † This number not found on the official map of the city;—Alfred Wheeler.

SYNOPSIS OF 100 VARA LOTS—Continued.

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how conveyed.
127.	Oct. 3, 1847.	George Hyde, 1st Alcalde, & George Hyde.		Grant on Petition.
128.	Jan. 2, 1850.	T. M. Leavenworth, 2nd Al.	George Work.	"
129.	Jan. 2, 1850.	G. Q. Colton, Justice.	James H. Coghill,	"
130.	Jan. 2, 1850.	"	Wm. H. Gladwin.	"
131.	Jan. 2, 1850.	"	H. M. Whitmore.	"
132.	Oct. 1, 1847.	George Hyde, 1st Alcalde.	Samuel F. Du Pont.	"
"	Sept. 9, '48.	T. M. Leavenworth, Al'e.	Frederick Bellhaus.	"
133.	Oct. 7, '48.	"	Thomas H. Stevens.	"
134.	Oct. 7, '48.	"	"	"
W. $\frac{1}{2}$ of 134	Jan. 9, '50.	G. Q. Colton, Justice.	Samuel H. Green.	"
135.*				
136.*				
137.	Jan. 7, 1849.	T. M. Leavenworth, Alcalde.	John L. Griffin.	"
138.	Jan. 7, 1849.	"	George Stoneman,	"
W. $\frac{1}{2}$ of 138	Dec. 23, 1849.	G. Q. Colton, Justice.	H. S. Brown.	"
139.*				
140.*				
141.	Dec. 25, 1849.	G. Q. Colton, Justice.	H. S. Stillwagen.	"
142.	Jan. 2, 1850.	"	Joshua Humphrey.	"
143.	Jan. 11, '49.	T. M. Leavenworth, Alcalde.	Jona. D. Stevenson.	"
144.				
145.	Dec. 19, '49.	G. Q. Colton, Justice.	Wadsworth Grigg.	"

* No record of any grant of this lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
146.	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	Jeremiah P. Wilbur.	Grant on petition. This lot formerly known as lot 107 1/2.
147.	Oct. 6, '48.	"	"	Grant on Petition. This lot formerly known as lot 108.
148.	Dec. 18, '49.	G. Q. Colton, Justice.	William Man.	Grant on petition.
149.	Dec. 21, '49.	"	J. K. Bailey.	"
W 1/2 of 150	Dec. 19, '49.	"	Douglass Ottinger.	" Extended to ship channel.
151.*				
152.*				
153.	Dec. 27, 1849.	G. Q. Colton, Justice.	John T. Mauran.	Grant on petition.
154.*				
E. 1/2 of 155	Dec. 28, 1849.	G. Q. Colton, Justice.	Chris. C. Hyde,	Grant on petition.
156.	Dec. 25, 1849.	"	T. Mauran,	"
157.	Dec. 25, '49.	"	Wm. A. Mauran.	"
158.	Dec. 23, 1849.	"	Jos. T. Brownell.	"
159.*				
160.*				
161.	Dec. 25, '49.	G. Q. Colton, Justice.	Amos E. Rogers.	Grant on petition.
162.	Dec. 25, '49.	"	C. J. Mauran.	"
163.	Dec. 27, '49.	"	George W. Vincent.	"
164.	Dec. 23, 1849.	"	Lucius B. Grove.	"
165.	Dec. 27, '49.	"	Wm. Edwin Collier.	"
166.*				
167.	Dec. 27, '49.	G. Q. Colton, Justice.	Ed. D. Weld.	Grant on Petition.

* No record of any grant of this lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how conveyed.
127.	Oct. 3, 1847.	George Hyde, 1st Alcalde, & George Hyde.		Grant on Petition.
128.	Jan. 2, 1850.	T. M. Leavenworth, 2nd Al.	George Work.	"
129.	Jan. 2, 1850.	G. Q. Colton, Justice.	James H. Coghill,	"
130.	Jan. 2, 1850.	"	Wm. H. Gladwin.	"
131.	Jan. 2, 1850.	"	H. M. Whitmore.	"
132.	Oct. 1, 1847.	George Hyde, 1st Alcalde.	Samuel F. Du Pont.	"
"	Sept. 9, '48.	T. M. Leavenworth, Al'e.	Frederick Bellhaus.	"
133.	Oct. 7, '48.	"	Thomas H. Stevens.	"
134.	Oct. 7, '48.	"	"	"
W. $\frac{1}{2}$ of 134	Jan. 9, '50.	G. Q. Colton, Justice.	Samuel H. Green.	"
135.*				
136.*				
137.	Jan. 7, 1849.	T. M. Leavenworth, Alcalde.	John L. Griffin.	"
138.	Jan. 7, 1849.	"	George Stoneman,	"
W. $\frac{1}{2}$ of 138	Dec. 23, 1849.	G. Q. Colton, Justice.	H. S. Brown.	"
139.*				
140*				
141	Dec. 25, 1849.	G. Q. Colton, Justice.	H. S. Stillwagen.	"
142.	Jan. 2, 1850.	"	Joshua Humphrey.	"
143.	Jan. 11, '49.	T. M. Leavenworth, Alcalde.	Jona. D. Stevenson.	"
144.				
145.	Dec. 19, '49.	G. Q. Colton, Justice.	Wadsworth Grigg.	"

* No record of any grant of this lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
146.	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	Jeremiah P. Wilbur.	Grant on petition. This lot formerly known as lot 107 $\frac{1}{2}$.
147.	Oct. 6, '48.	"	"	Grant on Petition. This lot formerly known as lot 108.
148.	Dec. 18, '49.	G. Q. Colton, Justice.	William Man.	Grant on petition.
149.	Dec. 21, '49.	"	J. K. Bailey.	"
W $\frac{1}{2}$ of 150	Dec. 19, '49.	"	Douglass Ottinger.	" Extended to ship channel.
151.*				
152.*				
153.	Dec. 27, 1849.	G. Q. Colton, Justice.	John T. Mauran.	Grant on petition.
154.*				
E $\frac{1}{2}$ of 155	Dec. 28, 1849.	G. Q. Colton, Justice.	Chris. C. Hyde,	Grant on petition.
156.	Dec. 25, 1849.	"	T. Mauran,	"
157.	Dec. 25, '49.	"	Wm. A. Mauran.	"
158.	Dec. 23, 1849.	"	Jos. T. Brownell.	"
159.*				
160.*				
161.	Dec. 25, '49.	G. Q. Colton, Justice.	Amos E. Rogers.	Grant on petition.
162.	Dec. 25, '49.	"	C. J. Mauran.	"
163.	Dec. 27, '49.	"	George W. Vincent.	"
164.	Dec. 23, 1849.	"	Lucius B. Grove.	"
165.	Dec. 27, '49.	"	Wm. Edwin Collier,	"
166.*				
167.	Dec. 27, '49.	G. Q. Colton, Justice.	Ed. D. Weld.	Grant on Petition.

* No record of any grant of this lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
168.*	Dec. 18, '49.	G. Q. Colton, Justice.	Benjamin Ober.	Grant on Petition.
W. $\frac{1}{2}$ of 169.	Dec. 10, '49.	John W. Geary, Alcalde.	James Wilcox.	Town sale.
170.*	Dec. 10, '49.	"	Ezra R. Johnson.	"
171.	Dec. 10, '49.	"	David Logan.	"
172.	Dec. 19, '49.	G. Q. Colton, Justice.	John Lake.	Grant on petition.
173.	Dec. 24, '49.	"	Francis A. Ball.	"
174.	Dec. 20, '49.	G. Q. Colton, Justice.	John F. P. Green.	Grant on petition.
"	Dec. 10, '49.	John W. Geary, Alcalde.	John H. Gibon.	Town sale.
175.*	Dec. 10, '49.	"	Frederick Ballhous.	"
176.	Dec. 10, '49.	"	John H. Gibon.	"
" 177.	Dec. 10, '49.	"	George H. Bowley.	"
" 178.	Dec. 10, '49.	"	James King of William.	Grant on petition.
179.	Dec. 10, '49.	"	Robert D. Merrill.	"
180.	Dec. 10, '49.	"	Cyrus Dikeman and Silas Wilcox.	Town sale.
181.	Dec. 10, '49.	"	Clement H. Soule.	Grant on petition.
E. $\frac{1}{2}$ of 181.	Jan. 1, '50.	G. Q. Colton, Justice.	Hinchman S. Soule.	"
W. $\frac{1}{2}$ of 181.	Jan. 1, '50.	"	John H. Gibon.	Town sale.
182.	Dec. 10, '49.	John W. Geary, Alcalde.	Enos Soule.	Grant on petition.
W. $\frac{1}{2}$ of 182.	Jan. 4, '50.	G. Q. Colton, Justice..	Thomas Sprague.	Town sale.
E. $\frac{1}{2}$ of 182.	Jan. 4, '50.	"		
183.	Dec. 10, '49.	John W. Geary, Alcalde.		
W. $\frac{1}{2}$ of 183.	Jan. 4, '50.	G. Q. Colton, Justice.		
184.	Dec. 10, '49.	John W. Geary, Alcalde.		

* No record of any grant of this lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
185.	Dec. 10, '49.	John W. Geary, Alcalde.	Wm. Codrington.	Town sale.
186.	Dec. 10, '49.	"	Daniel O'Brien.	"
187.	Dec. 10, '49.	"	Thomas Sprague.	"
188.	Dec. 10, '49.	"	James P. Reynolds.	"
189.	Dec. 10, '49.	"	Thomas Sprague.	"
190.	Dec. 10, '49.	"	Ed. F. Northam.	"
191.†	Dec. 10, 1849.	John W. Geary, Alcalde.	"	Town Sale.
E. $\frac{1}{2}$ of 191.	Dec. 25, 1849.	G. Q. Colton, Justice.	William A. Woodruff.	Grant on Petition.
W. $\frac{1}{2}$ of 191	Dec. 25, 1849.	"	Hamlet Jacks.	"
191.	Dec. 28, 1849.	"	Hugh C. Murray.	"
192.	Dec. 10, 1849.	John W. Geary, Alcalde.	Daniel Foy and Jonah Mordecai.	Town Sale.
193.	Dec. 10, 1849.	"	David Logan.	"
194.	Dec. 10, 1849.	"	Francis Hoen.	"
195.	Dec. 10, 1849.	"	Thomas Sprague.	"
"	Dec. 25, 1849.	G. Q. Colton, Justice.	W. E. Le Roy.	Grant on Petition.
196.	Dec. 10, 1849.	John W. Geary, Alcalde.	Henry D. Johnson.	Town sale.
197.	Nov. 28, 1849.	"	Adolph Markwald.	"
E. $\frac{1}{2}$ of 197.	Jan. 9, 1850.	G. Q. Colton, Justice.	George F. Pettinos.	Grant on Petition.
198.	Nov. 28, '49.	John W. Geary, Alcalde.	John Tallant and S. C. Simmons.	Town sale.
199.	Nov. 28, '49.	"	S. Brannan.	"
200.	Nov. 19, '49.	"	Alfred J. Ellis.	"
201.	Dec. 27, 1849.	G. Q. Colton, Justice.	William Brown.	Grant on Petition.
202.	Nov. 28, 1849.	John W. Geary, Alcalde.	J. J. Bryant.	Town sale.
203.*				

† Mem. on record.—"Erroneous entry. No. 191 has never been deeded by me to any person.—John W. Geary, Alcalde.

* No record of any grant of this lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
204.	Dec. 10, 1849.	John W. Geary, Alcalde.	J. W. Osborn.	Town Sale.
205.	Nov. 19, 1849.	"	Annis Merrill and John McVickar.	"
206.	Dec. 10, 1849.	"	Francis Hoeh.	"
207.	Nov. 19, 1849.	"	Hugh O'Donnell.	"
208.	Dec. 10, 1849.	"	Thomas Sprague.	"
209.	Dec. 10, 1849.	"	J. C. Buffum and Henry Christie.	"
210.	Dec. 10, 1849.	"	Thomas Sprague.	"
211.	Dec. 10, 1849.	"	Joseph W. Osborne.	"
212.	Dec. 10, 1849.	"	Hervey Sparks.	"
213.	Dec. 10, '49.	"	Stephen R. Harris.	"
214.	Dec. 10, 1849.	"	Aug. R. Green.	"
215.	Dec. 10, 1849.	John W. Geary, Alcalde.	Thomas Sprague.	"
216.	"	"	Joseph W. Osborn.	"
217.	"	"	Thomas Sprague.	"
218.	Nov. 28, '49.	"	J. J. Bryant.	"
W. 1 of 218.	Nov. 28, '49.	"	Wm. King, Jr.	Grant on Petition.
E. 1 of 218.	Jan. 1, 1850.	G. Q. Colton, Justice.	Edward J. Shoemaker.	"
219.	Dec. 10, 1849.	John W. Geary, Alcalde.	Thomas Sprague.	Town Sale.
220.	"	"	"	"
221.	Nov. 28, 1849.	"	Wm. H. McKee.	"
222.	"	"	Flavel S. Mines.	"
223.	Nov. 19, '49.	"	George W. Thompson.	"
224.	Dec. 10, 1849.	"	Stephen R. Harris.	"
225.	"	"	David B. Northrop.	"

SYNOPSIS OF 100 VARA LOTS—Continued.

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
226.	Nov. 28, 1849.	John W. Geary, Alcalde.	S. Brannan.	Town Sale.
227.	Dec. 10, 1849.	"	Louis Gosse & Manuel Espie.	"
228.	"	"	J. H. Levein & J. Bluxome, Jr	"
229.	"	"	"	"
E. $\frac{1}{2}$ of 229	Jan. 1, 1850.	G. Q. Colton, Justice.	Joseph Libbey, Jr.	Grant on Petition.
W. $\frac{1}{2}$ of 229	"	"	Jacob R. Snyder.	"
230.	Dec. 10, 1849.	John W. Geary, Alcalde.	J. H. Levein & J Bluxome, Jr	Town Sale.
231.	"	"	"	"
232.	"	"	H. D. Johnson.	"
233.	"	"	Jos. W. Osborne.	"
234.	"	"	J. H. Levein & J Bluxome, Jr	"
235.	"	"	"	"
236.*	"	"	"	"
237.*	"	"	"	"
238.	Dec. 10, 1849.	John W. Geary, Alcalde.	"	"
239.	"	"	J. W. Osborne.	"
240.	"	"	"	"
241.	Nov. 28, 1849.	"	C. V. Gillespie.	"
242.	Nov. 19, 1849.	John W. Geary, Alcalde.	Samuel Brannan.	Town Sale.
243.	Nov. 19, '49.	"	David C. Broderick & F. D. Kohler.	"
244.	Dec. 10, '49.	"	P. Dexter Tiffany.	"
245.	Nov. 19, 1849.	"	Henry L. Dodge.	"
246.	Nov. 28, 1849.	"	P. Dexter Tiffany.	"
247.	Dec. 10, '49.	"	C. V. Gillespie.	"

* No record of any grant of this lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee	Estate, and how Conveyed.
248.	Nov. 19, '49.	John W. Geary, Alcalde.	J. W. Finley, C. Ringold & Ed. Bell.	Town sale.
249.	Dec. 10, '49.	"	David Logan.	Town sale. †
250.	Dec. 10, '49.	"	Thomas Hoen.	Town sale.
251.	Dec. 10, '49.	"	Frederick Probst.	"
252.	Dec. 10, '49.	"	J. H. Levein & J. Bluxome, Jr	"
253.	Dec. 10, '49.	"	"	"
254.	Dec. 10, '49.	"	James Titton.	"
255.	Nov. 28, '49.	"	Henry Gerke.	"
256.	Nov. 28, '49.	"	William H. Davis.	"
257.	Nov. 28, '49.	"	Jos. W. Osborne.	"
258.	Dec. 29, '49.	G. Q. Colton, Justice.	G. Henderson.	Grant on Petition.
259.	Dec. 10, '49.	John W. Geary, Alcalde.	George W. Fenno.	Town sale.
260.	Nov. 19, '49.	"	Samuel Brauman.	"
261.	Dec. 10, '49.	"	Robert McKinley.	"
262.	Dec. 10, '49.	"	Robert L. Smith.	"
263.	Nov. 19, '49.	"	D. C. Broderick and F. D. Kohler.	"
264.	Dec. 10, '49.	"	P. Dexter Tiffany.	"
265.	Dec. 10, '49.	"	Hezekiah P. Jones.	"
266.	Dec. 10, 1849.	"	Robert McKinley.	"
267.	Nov. 19, 1849.	"	Alexander G. Abell.	"
268.	Dec. 10, '49.	"	J. H. Levein and J. Bluxome, Jr.	"
269.	Dec. 10, '49.	"	"	"
270.	Dec. 10, '49.	"	Jos. W. Osborne.	"

† Mem. on record.—"Forfeited, J. W. Geary, Alcalde."

SYNOPSIS OF 100 VARA LOTS---Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
271.	Dec. 10, 1849.	John W. Geary, Alcalde.	George W. Green.	Town sale.
272.	Dec. 10, 1849.	"	John H. Clark.	"
273.	Dec. 10, 1849.	"	J. H. Levein and J. Bluxome, Jr.	"
274.	Dec. 10, 1849.	"	Stephen R. Harris.	"
275.	Dec. 10, 1849.	"	James Titton.	"
276.	Nov. 28, 1849.	"	James P. Horback.	"
277.	Nov. 28, 1849.	"	E. B. Post and Ed. Taylor.	"
278.	Nov. 28, 1849.	"	Chas. H. N. Cook & Josiah C. Woods.	"
279.	Nov. 28, 1849.	"	Henry Gerke.	"
280.	Nov. 19, 1849.	"	James H. Cutter.	"
281.	Nov. 28, 1849.	"	John B. Bigelow.	"
282.	Nov. 28, 1849.	"	Paul K. Hubbs and Wm. Agate.	"
283.	Nov. 28, 1849.	"	Vincent M. Luco.	"
284.	Nov. 28, 1849.	"	C. V. Gillespie.	"
285.	Nov. 28, 1849.	"	John D. Munford.	"
286.	Nov. 28, 1849.	"	Kelsey Hazen.	"
287.	Nov. 19, 1849.	"	Stephen R. Harris.	"
288.	Nov. 19, 1849.	"	James F. Howe.	"
289.	Nov. 28, 1849.	"	Adolph Markwald.	"
290.	Nov. 28, 1849.	"	Patrick Fenton.	"
291.	Nov. 28, 1849.	"	Adolph Markwald.	"
292.	Dec. 10, 1849.	"	Charles B. Marvin.	"
293.	Dec. 10, 1849.	"	J. Heron Foster.	"
294.	Dec. 10, 1849.	"	"	"

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate and how conveyed.
295.	Dec. 10, 1849.	John W. Geary, Alcalde.	J. Heron Foster.	Town Sale.
296.	Dec. 10, 1849.	"	P. Dexter Tiffany.	"
297.	Nov. 28, 1849.	"	John Tallant and S. C. Simmons.	"
298.	Nov. 28, 1849.	"	P. Dexter Tiffany.	"
299.	Nov. 28, 1849.	"	Cesare Spouting and Charles Elsay.	"
300.	Nov. 19, 1849.	"	J. W. Finley, Cad, Ringgold and Edwin Bell.	"
301.	"	"	Thomas Sprague.	"
302.	Nov. 28, 1849.	"	James Somerville.	"
303.	"	"	Edward Martin.	"
304.	Dec. 10, 1849.	"	Robert McKinley.	"
305.	"	"	Thomas Sprague.	"
306.†				
307.†				
308.†				
309.†				
310.†				
311.†				
312.†				
313.†				
314.†				
315.†				
316.†				
317.†				

† No record of any grant of this lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
318.*				
319.*				
320.*				
321.*				
322.*				
323.*				
324.*				
325.*				
326.*				
327.*				
328.*				
329.*				
330.*				
331.*				
332.*				
333.*				
334.*				
335.*				
336.*				
337.*				
338.*				

* No record of any grant of this lot.

SYNOPSIS OF 100 VARA LOTS—Continued.

No. of Lot.	Date of Grant	Grantor.	Grantee.	Estate, and how conveyed.
339.*				
340.*				
341.*				

* No record of any grant of this lot.

SYNOPSIS OF LOTS

OF THE

50 VARA SURVEY.



SYNOPSIS OF LOTS OF THE 50 VARA SURVEY.

77

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
1.	Jan. 15, 1840.	Francisco Guerrero, Jues de Paz.	Jacob P. Leese.	Grant by order of the Gov. or.
2.	Jan 11, '47.	George Hyde, Alcalde.	Nathan Spear.	Grant on Petition.
2½.	Dec. 28, 1846.	"	Susanna Hinckly.	"
3.	Jan. 15, '40.	Francisco Guerrero, Jues de Paz.	Juan Antonio Vallejo.	Grant by order of Governor.
4.	Nov. 15, '43.	Francisco Sanchez, Jues de Paz.	Francisco Guerrero.	Grant on Petition.
5.	Dec. 7, '45.	José de la Cruz Sanches, Alcalde.	Gregorio Brionis.	"
6.†	Dec. 11, 1844.	Wm. Hinckley, Alcalde.	Eugenio Montenegro.	"
"	June 6, 1846.	Jesus de Noe, Jues de Paz.	José Maria Santa Maria.	Grant on Petition.
7.	Nov. 13, '44.	William Hinckley, Alcalde.	Carlos Glein.	"
8.	May 28, 1846.	José de Jesus Noe, Jues de Paz.	— Reading.	"
9.	Feb. 26, 1847.	Edwin Bryant, Chief Mag'te	John Allen.	Grant on Petition.
10.	March 8, '47.	"	Michael { Murrey, } Morey.	"
11.	April 28, '47.	"	Aquilla Glover.	"
12.	March 24, '47.	"	Francis J. Lippitt.	"
13.†	March 3, '47.	"	George Hyde.	"
"	Aug. 26, '47.	George Hyde, 1st Alcalde.	E. P. Jones.	Grant on Petition.
14.	Feb. 26, '47.	Edwin Bryant, Chief Mag'te	Hugh Reid.	"
15.	March 1, '47.	"	Elon S. Marsh.	"
16.	Aug. 15, '43.	Francisco Guerrero, Jues de Paz.	Bruno Valencia.	"
17.	July 19, '44.	Wm. Hinckley, Alcalde.	Benito Diaz and Juan Brado Mesa.	"
18.	Dec. 9, '39.º	Francisco Guerrero, Jues de Paz.	Juan C. Davis.	Grant by order of Governor.

† This record crossed out.

‡ This record erased. Mem. at foot of record.—"Withdrawn, and money refunded. Geo. Hyde, 1st Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor	Grantee.	Estate, and how conveyed
19.	Dec. 1, '39.	Francisco Guerrero, Jues de Paz.	Wm. J. Hinckly.	Grant by order of Governor.
19 ¹ / ₂ .	Dec. 28, '46.	George Hyde, Alcalde.	Nathan Spear.	Grant on Petition.
20.	May 1, '42.	Francisco Sanchez, Jues de Paz.	Peter T. Sherrback.	"
21.	March 8, '42.	"	George Allen.	"
22.	May 14, '46.	J. de Jesus Noe, Jues de Paz.	Henrique Fiche.	"
23.	Jan. 15, '40.	Francisco Guerrero, Jues de Paz.	Juan Viogt.	"
24.	March 14, '37.	Martinez, (Ignacio,) Alcalde.	John Fuller.	Grant by order of Ayuntamiento.
"	May 19, '47.	Edwin Bryant, Alcalde.	John Fuller.	Grant on Petition.
25.	Aug. 10, 1845.	Jose de la Cruz Sanchez, Alcalde.	Francisco Sanchez.	Grant on Petition.
26.	May 4, 1844.	William Hinckley, Alcalde.	D. Carlos W. Plugge.	"
27.	May 20, '46.	J. de Jesus Noe, Jues de Paz.	William Hinckley.	"
28.	Dec. 8, '46.	Wash. A. Bartlett, Alcalde.	José Benavides.	"
29.	July 3, '43.	Francisco Sanchez, Jues de Paz.	Wm. A. Leidsdorf.	"
30.	July 3, '43.	"	"	"
31.	April, 1843.	"	Francisco de Haro.	"
"	March 1, '47.	Edwin Bryant, Chief Mag.	John Finch.	"
32.	April 15, '43.	Francisco Sanchez, Jues de Paz.	Doningo Feliz.	"
33.	April 15, '43.	"	Juan Bia. (name torn off.)	"
34.*	Dec. 27, '43.	"	John Martin.	"
35.	Oct. 15, '43.	"	Gregory Escalante.	"
36.	Dec. 17, '44.	Guillermo Hinckley, Alcalde.	Dona Encarnacion Soto de Bernal.	Grant on Petition. By order of Departmental Government.

* No record of any grant of this Lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
37†	March 4, '47.	Edwin Bryant, Chief Mag.	Lazarus Everhart.	Grant on petition.
38.†	March 3, '47.	"	James S. Linn.	"
"	May 20, '47.	"	John Cannell.	Grant on Petition.
39.	March 8, '47.	"	Michael Foley.	"
40.	March 19, '47.	"	Augustus Tieroff.	"
41.	March 16, '47.	"	James Greyson.	"
42.	Nov. 25, '46.	Washington Bartlett, Alcalde.	Robert Whittaker.	"
43.	Feb. 3, '47.	Washington A. Bartlett, Chief Mag.	Vardeman Bennett.	"
44.	May 10, '45.	Juan N. Padilla, Alcalde.	Eusebiso Soto.	"
45.*				
46.	Feb. 26, '47.	Edwin Bryant, Chief Mag.	Kale Puaanni.	"
47.	Nov. 25, '46.	Wash. A. Bartlett, Alcalde.	George Wisner.	"
48.	March 1, '47.	Edwin Bryant, Chief Mag.	Vardeman Bennett.	"
49.	March 20, '38.	Francisco de Haro.	Francisco Cáseres.	"
50.	Jan. 15, '40.	Francisco Guerrero, Jues de Paz.	John B. Cooper.	"
51.	April 14, '43.	Francisco Sanchez, Jues de Paz.	Jesus Noe.	"
52.	June 3, '46.	Jesus Noe, "	Esteban Smith.	Grant on Petition.
53.	Dec. 15, '43.	Francisco Sanchez, "	Juan Castanadra.	"
54.	Dec. 15, '43.	"	Trinidad Maya.	"
55.	April '43.	"	Vicente Miramontes.	"
56.	July 8, '36.	Jose Joaquin Estudillo, Alcalde.	Jacob P. Leese.	"
57.*				
58.	Dec. 21, '44.	Wm. Hinckley.	Joel P. Dedmond.	"

† Erased—Mem. at foot of record. " Void, there being a Spanish title vested in Enc. Soto de Bernal."

‡ Record crossed out. * No record of any grant of this lot.

SYNOPSIS OF 50 VERA LOTS - Continued

No. of Lot	Date of Grant	Grantee	Grantee	From and how conveyed
103.	Nov 13, 1840	Wash. A. Bartlett, Able	John S. Meardon	Grant on Petition
104.	Dec 15, 41	Guillermo Hinchey, Able	Augustin A. Andrews	"
105.	March 10, 47	Edwin Bryant, Chief Mag.	Rafael Gutierrez	"
106.	March 9, 47	"	Martin Murphy	"
107.	"	"	Thomas Keen	"
108.	"	"	Daniel Murphy	"
109.	"	"	Richard Moffat	"
110.	Feb 20, 1847	George Hyde, Able	Richard M. Sherman	"
111.	Dec 20, 40	Edwin Bryant, Chief Mag.	Origen Murphy	"
112.	March 5, 47	"	Bartholomew	"
113.	Dec 1, 1840	Wash. A. Bartlett, Able	John E. Montgomery	"
"	Feb 20, 1847	Edwin Bryant, Chief Mag.	Andrew J. Grayson	"
114.	March 9, 47	"	James Murphy	"
115.	March 12, 47	"	Lewis Rogers	"
116.	"	"	Julius Martin	"
117.	"	"	James Farley	"
118.	March 10, 47	"	Robert Henry	"
"	"	"	Daniel Stark	"
119.	Feb 26, 1847	"	William Evans	"
120.	March 20, 47	"	Samuel E. Ryland	"
121.	March 18, 47	"	William Petter	"
"	Sept 20, 47	George Hyde, 1st Able	Matthew J. Hawn	"
122.	March 11, 47	Edwin Bryant, Chief Mag.	L. C. Gray	"
123.	"	"		"
124. *				

* This title not given out in consequence of the loss of the petition before he could have done so, Feb. 11 W. A. Bartlett Chief Mag.
 † Passed - postponed - G. Hyde * No record of any grant of this lot

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Date.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
125.	March 15, '47.	Edwin Bryant, Chief Mag.	Robert Roberts.	Grant on Petition.
126.	March 11, '47.	"	G. D. Lemoine.	"
127.†	Oct. 5, '47.	George Hyde, 1st Alcalde.	James Murphy.	"
"	Sept. 1, 1848.	T. M. Leavenworth, Alcalde.	Mills L. Callender.	"
128.	March 4, 1847.	Edwin Bryant, Chief Mag.	Robert Smith.	"
129.	March 11, '47.	"	George K. Winner.	"
130.	March 8, '47.	"	J. Handerrick.	"
131.	March 12, '47.	"	Christana Read.	"
132.	March 8, '47.	"	Keanu Cuani.	"
133.	March 15, '47.	"	Asa Stevens.	"
134.	Dec: 24, '44.	Guillermo Hincley, Alcalde.	Wm. Johnson.	"
"	March 11, '47.	Edwin Bryant, Chief Mag.	James S. Linn.	"
135.	March 13, '47.	"	J. M. Hedsbeth.	"
136.	Dec. 1, '44.	Wm. Hincley.	Edward T. Bale.	"
137.†	March 11, '47.	Edwin Bryant, Chief Mag.	W. H. Smith.	"
"	July 1, '47.	George Hyde, 1st Alcalde.	George McDougal.	"
138.	July 12, '44.	Wm. Hincley, Alcalde.	James R. Berry.	"
139.	July 12, '44.	"	Robert Ridley.	"
"	Dec. 27, '49.	G. Q. Colton, Justice.	Hiram Dulce.	"
140.	May 22, '46.	Jose de Jesus Noe, Jues de Paz.	E. Grimes.	"
141.	Jan. 25, '47.	Wash, A. Bartlett, Chief Mag.	Bazil Hall.	"
142.	Jan. 21, '47.	"	Jacob Dopken.	"
143.	Jan. 11, '47.	George Hyde, Alcalde.	J. A. Sutter.	"
144.	March 11, '47.	Edwin Bryant, Chief Mag.	Keani Palani.	"

† Erased.--"Void as to Murphy, having been petitioned for by T. M. Leavenworth, and now claimed by him.--George Hyde, 1st Alcalde."
 ‡ Erased. "Void.--George Hyde, 1st Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
103.	Nov. 18, 1846.	Wash. A. Bartlett, Alcalde.	John S. Missroon.	Grant on Petition.
104.	Dec' 15, '44.	Guillermo Hincely, Alcalde.	Augustin A. Andrews.	"
105.	March 10 '47.	Edwin Bryant, Chief Mag.	Rafael Guirarde,	"
106.	March 9, '47.	"	Martin Murphy.	"
107.	"	"	Thomas Kerr.	"
108.	"	"	Daniel Murphy.	"
109.	Feb. 26, 1847.	"	Richard Moffat.	"
110.	Dec' 20, '46.	George Hyde, Alcalde.	Richard M. Sherman.	"
111.	March 5, '47.	Edwin Bryant, Chief Mag.	Origen Murphy.	"
112.	"	"	Barton Morey.	"
113.†	Dec. 1, 1846.	Wash. A. Bartlett, Alcalde.	John E. Montgomery.	"
"	Feb. 26, 1847.	Edwin Bryant, Chief Mag.	Andrew J. Greyson.	"
114.	March 9, '47.	"	James Murphy.	"
115.	March 12, '47.	"	Lewis Rogers.	"
116.	"	"	Julius Martin.	"
117.	March 10, '47.	"	James Earley.	"
118.	"	"	Robert Henry.	"
119.	Feb. 26, 1847.	"	Daniel Stark.	"
120.	March 20, '47.	"	William Evans.	"
121.†	March 18, '47.	"	Samuel E. Kyburg.	"
"	Sept. 20, '47.	George Hyde, 1st Alcalde.	William Pettet.	"
122.	March 11, '47.	Edwin Bryant, Chief Mag.	Matthew J. Haan.	"
123.	"	"	L. C. Gray.	"
124.*				

† " This title not given out in consequence of the loss of the petitioner before he could have done so, Feb., '47. W. A. Bartlett, Chief Mag."
 ‡ Erased. " Forfeited.—G. Hyde." * No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Date.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
125.	March 15, '47.	Edwin Bryant, Chief Mag.	Robert Roberts,	Grant on Petition.
126.	March 11, '47.	"	G. D. Lemoine.	"
127.†	Oct. 5, '47.	George Hyde, 1st Alcalde.	James Murphy.	"
"	Sept. 1, 1848.	T. M. Leavenworth, Alcalde.	Mills L. Callender.	"
128.	March 4, 1847.	Edwin Bryant, Chief Mag.	Robert Smith.	"
129.	March 11, '47.	"	George K. Winner.	"
130.	March 8, '47.	"	J. Handerrick.	"
131.	March 12, '47.	"	Christana Read.	"
132.	March 8, '47.	"	Keaniu Cuani.	"
133.	March 15, '47.	"	Asa Stevens.	"
134.	Dec. 24, '44.	Guillermo Hincley, Alcalde.	Wm. Johnson.	"
"	March 11, '47.	Edwin Bryant, Chief Mag.	James S. Linn.	"
135.	March 13, '47.	"	J. M. Hedspeeth.	"
136.	Dec. 1, '44.	Wm. Hincley.	Edward T. Bale.	"
137.†	March 11, '47.	Edwin Bryant, Chief Mag.	W. H. Smith.	"
"	July 1, '47.	George Hyde, 1st Alcalde.	George McDougal.	"
138.	July 12, '44.	Wm. Hincley, Alcalde.	James R. Berry.	"
139.	July 12, '44.	"	Robert Ridley.	"
"	Dec. 27, '49.	G. Q. Colton, Justice.	Hiram Duluce.	"
140.	May 22, '46.	Jose de Jesus Noe, Jues de Paz.	E. Grimes.	"
141.	Jan. 25, '47.	Wash. A. Bartlett, Chief Mag.	Bazil Hall.	"
142.	Jan. 21, '47.	"	Jacob Dopken.	"
143.	Jan. 11, '47.	George Hyde, Alcalde.	J. A. Sutter.	"
144.	March 11, '47.	Edwin Bryant, Chief Mag.	Keani Palani.	"

† Erased.—"Void as to Murphy, having been petitioned for by T. M. Leavenworth, and now claimed by him.—George Hyde, 1st Alcalde."

‡ Erased.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
145.	March 12, '47.	Edwin Bryant, Chief Mag.	John Phillips.	Grant on petition.
146.	March 17, '47.	"	James B. McCling.	"
147.	March 12, '47.	"	Richard Knowles.	"
148.	Sept. 19, '48.	T. M. Leavenworth, Alcalde.	William S. Clark.	"
149.	Oct. 7, '48.	"	"	"
"	Oct. 7, '48.	No signature.	"	"
150.	March 13, '48.	George Hyde, 1st Alcalde.	James Lick.	"
151.	Sept. 24, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
152.	April 15, '49.	F. M. Leavenworth, Alcalde.	John W. Geary.	"
"	Dec. 27, '49.	G. Q. Colton, Justice.	William Galloway.	"
153.	March 13, '48.	George Hyde, 1st Alcalde.	James Lick.	"
154.	Dec. 15, '43.	Francisco Sanchez, Jues de Paz.	Trinidad Molla.	"
"	March 13, '48.	George Hyde, 1st Alcalde.	James Lick.	"
155.	March 23, '47.	Edwin Bryant, Chief Mag.	Wm. H. De Fleet.	"
156.	March 17, '47.	"	Wm. C. Maxfeld.	"
157.	"	"	Wm. M. Fuller.	"
158.	March 4, '47.	"	Wm. McDonald.	"
159.	March 25, '47.	"	Lewis Adler.	"
160.	Jan. 29, '47.	Wash. A. Bartlett, "	Isabella Jones.	"
161.	May 3, '45.	Juan N. Padilla, Alcalde.	Joaquin Pena.	"
162.	Jan. 29, '47.	Washington A. Bartlett, Chief Mag.	E. Ward Pell.	"
163.†	Dec. 15, '46.	"	John Carson.	"
"	June 7, '47.	George Hyde, 1st Alcalde.	Wm. John Powell.	"
164.	March 4, '47.	Edwin Bryant, Chief Mag.	Jonathan Griffith.	"

† The petitioner having gone to the United States without calling for his deed, the title is void. G. Hyde, 1st Alcalde "

† Erased.

SYNOPSIS OF 50 VARA LOTS—Continued.

85

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
165.	Jan. 21, '47.	Wash. A. Bartlett, Chief Mag.	Richard C. Kirby.	Grant on Petition.
166.	Feb. 9, '47.	"	Wm. Marst.	"
167.	Feb. 10, '47.	"	Henry A. Huber.	"
168.†	March 10, '47.	Edwin Bryant,	Henry P. Richardson.	"
"	July 1, '47.	George Hyde, 1st Alcalde.	George McDougal.	"
169.†	March 10, '47.	Edwin Bryant, Chief Mag.	Wm. D. Phillips.	"
"	July 1, '47.	George Hyde, 1st Alcalde.	George McDougal.	"
170.	Nov. 17, '46.	Wash. A. Bartlett, Alcalde.	Herrman Hintz.	"
171.	April 20, '47.	Edwin Bryant, Chief Mag.	Adolphus Watkins.	"
172.	March 24, '47.	"	James Enright.	"
173.	March 23, '47.	"	Francis Murray.	"
174.	April 9, '45.	Juan N. Padilla, Alcalde.	Rosalio Haro.	"
174.	March 17, '47.	Edwin Bryant, Chief Mag.	J. Vanderbeck.	"
175.	March 31, '47.	"	Wm. D. Robinson.	"
176.	March 13, '48.	George Hyde, 1st Alcalde.	Wm. M. McDonald.	"
177.	Oct. 7, 1848.	T. M. Leavenworth, Alcalde.	Thomas H. Stephens.	"
178.	July 12, '49.	"	David Logan.	"
179.	July 12, '49.	"	"	"
180.*				
181.	July 19, 1847.	George Hyde, 1st Alcalde.	John R. Robbins.	"
181½.†	Jan. 27, 1847.	Wash. A. Bartlett, Chief Mag.	"	"
182.§	July 16, 1847.	George Hyde, 1st Alcalde.	John Owens.	"
"	Aug. 27, '47.	"	William Pettet.	"
183.	June 26, '48.	T. M. Leavenworth, 2d Alcalde.	B. R. Buckelew.	"
"	Dec. 18, 1849.	G. Q. Colton, Justice.	J. F. Bogerton.	"

† Erased. "Void, not taken out according to law. G. Hyde, 1st Alcalde."

‡ "Lot on N. E. corner Montgomery and California streets."

§

Crossed out.

"Not taken."

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
184.	June 26, '48.	T. M. Leavenworth, 2d Alc.	B. R. Buckelew.	Grant on Petition.
185.	March 25, '48.	T. M. Leavenworth, 2d Alc. calde and Chief Magistrate.	Benjamin R. Buckelew.	"
"	Dec. 19, 1849.	G. Q. Colton, Justice.	Edward Jones.	"
186.	March 25, '48.	T. M. Leavenworth, 2d Alc. calde and Chief Magistrate.	Benjamin R. Buckelew.	"
"	Dec. 18, 1849.	G. Q. Colton, Justice.	Charles E. Muse.	"
187.	March 25, '48.	T. M. Leavenworth, 2d Alc. calde and Chief Magistrate.	Benjamin R. Buckelew.	"
188.	"	"	"	"
"	Dec. 20, '49.	G. Q. Colton, Justice.	Samuel Adams.	"
189.	May 15, 1846.	Jose de Jesus Noe, Jues de Paz.	Francis Hoen and George Dohling.	"
190.	May 30, '46.	"	Liandro Galindo.	"
191.	May 25, '46.	"	— Hensley.	"
192.†	Nov. 18, 1846.	Wash. Bartlett, Alcalde or Chief Magistrate.	Thomas Kettleman.	"
"	Dec. 18, '46.	"	"	"
193.	Feb. 26, '47.	Edwin Bryant, Chief Mag.	Pika Pacla.	"
194.	Feb. 18, '47.	Wash. A. Bartlett, Chief Mag.	George Pott.	"
195.	May 22, '46.	Jose de Jesus Noe, Jues de Paz.	Maximo Fernandez.	"
196.	June 18, '46.	J. de Jesus Noe, Jues de Paz.	Manuel E. McIntosh.	"
197.	Feb. 26, '47.	Edwin Bryant, Chief Mag.	Christ'n Thomas.	"
"†	March 4, '47.	"	Timothy Murphy.	"
198.	Dec. 3, '46.	Wash. A. Bartlett, " "	Henry Harris.	"

† "Erased in consequence of error." ‡ Erased. "This lot has been granted to C. Thomas." W. A. B.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
199.	Feb. 26, '47.	Edwin Bryant, Chief Mag.	John B. Faust.	Grant on petition.
200.	Dec. 3, '46.	Wash. A. Bartlett, Alcalde, or Chief Magistrate.	John Townsend.	"
201.†	March 17, '47.	Edwin Bryant, Chief Mag.	Robert Buckle,	"
"	June 30, '47.	George Hyde, 1st Alcalde.	Wm. S. Clarke.	"
202.	March 17, '47.	Edwin Bryant, Chief Mag.	Edward Burgess.	" ¹
203.	April 23, '47.	Edwin Bryant, Chief Mag.	Wm. H. Peterson.	"
204.	April 14, '47.	"	John M. Stanley.	"
205.‡	July 7, '47.	George Hyde, 1st Alcalde.	L. Everhart.	"
206.	April 14, '47.	Edwin Bryant, Chief Mag.	Lansford W. Hastings.	"
207.	March 25, '48.	T. M. Leavenworth, 2d Alcalde and Chief Mag.	Benj. R. Buckelew.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Benj. W. Barlow.	"
208.	Feb. 5, '47.	Wash. A. Bartlett, Chief Mag.	S. George Denike.	"
209.	Jan. 25, '47.	"	Jacob Hernand.	"
210.	Feb. 18, '47.	"	Jasper O'Farrell.	"
211.	March 4, '47.	Edwin Bryant, Chief Mag.	J. D. Hoppy.	"
212.	Feb. 12, '47.	Wash. A. Bartlett, "	George M. Evans.	"
213.§	March 18, '47.	Edwin Bryant	Daniel Kybury.	"
"	July 28, '47.	George Hyde, 1st Alcalde.	Wm. S. Clarke.	"
214.	March 18, '47.	Edwin Bryant, Chief Mag.	John Barbour.	"
"	July 9, 1847.	George Hyde, 1st Alcalde.	James Mooney.	"
215.	Feb. 26, 1847.	Edwin Bryant, Chief Mag.	William Harmes.	"
216.	March 18, '47.	"	Stephen Harris.	"

† Erased. "Deed having remained in the office after due notice, is declared void.—George Hyde, 1st Alcalde."

‡ "Awarded as a remuneration for the loss of lot No. 37, granted by Ed. Bryant, and lot 37 granted to him is therefore void as to him.—George Hyde, 1st Alcalde."

§ Erased. "Void because not taken out according to law.—George Hyde, 1st Alcalde."

|| Erased. "Void, because not taken out according to law.—George Hyde, 1st Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
217.	March 13, '47.	George Hyde, 1st Alcalde.	James Lick.	Grant on Petition.
218.	March 13, '48.	Edwin Bryant, Chief Mag.	Wm. S. Clark.	"
219.	Feb. 26, '47.	George Hyde, 1st Alcalde.	Peter Lassen.	"
220.	March 13, '48.	Edwin Bryant, Chief Mag.	Wm. S. Clark.	"
221.	April 9, '47.	Edwin Bryant, Chief Mag.	James H. Gleason.	"
222.	March 5, '47.	"	Hiram Ham.	"
223.	March 4, '47.	"	George Kettleman.	"
224.†	Jan. 20, '47.	Washington A. Bartlett, Chief Mag.	Hannah D. Buckland.	"
"	Oct. 9, '46.	No name.	George Hyde.	"
225.	Jan. 11, '47.	George Hyde, Alcalde.	Edward M. Kern.	"
226.	Dec. 9, '46.	Wash. A. Bartlett, Chief Mag.	Frederick Teschemacker.	"
227.	March 15, '47.	" Alcalde.	Lacy Eager.	"
228.	March 15, '47.	Edwin Bryant, Chief Mag.	Charles Meyer.	"
229.‡	March 20, '47.	"	Francis Pala.	"
"	July 24, '47.	"	Henry Woods.	"
230.	Nov. 16, '46.	George Hyde, 1st Alcalde.	Benjamin S. Lippincott.	"
231.	Sept. 27, '47.	Washington Bartlett, Alcalde,	Robert Duncan.	"
232.	April 17, '47.	or Chief Magistrate.	Samuel Brannan.	"
233.	Jan. 23, '47.	George Hyde, 1st Alcalde.	Ernst Shultz.	"
234.	Feb. 3, '47.	Edwin Bryant, Chief Mag.	Rafaele Galente.	"
"§	Feb. 8, '49.	Wash. A. Bartlett, Chief Mag.	George A. Ferguson.	"
235.	March 17, '47.	No name.	James H. Thompson.	"
		Edwin Bryant, Chief Mag.	Thompson H. Morse.	Grant on Petition.

† Title not taken out."

‡ This lot, being forfeited, has been granted to B. S. Lippincott. G. Hyde, 1st Alcalde."

§ Lot 234 had been granted previously."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
236.	Dec. 21, '46.	George Hyde, Alcalde ad interim.	J. T. Dunleavy.	Grant on Petition.
237†	Nov. 17, '46.	Wash. Bartlett, Chief Mag.	Benj. M. Hudspeth.	"
"	June 31, '47.	George Hyde, 1st Alcalde.	Wm. John Powell & Chas. L. Ross.	"
238.†	March 13, '47.	Edwin Bryant, Chief Mag.	John Sears.	"
"	July 1, '47.	George Hyde, 1st Alcalde.	John C. Buchanan.	"
239.	March 5, '47.	Edwin Bryant, Chief Mag.	Rhanalde Morey.	"
240.	March 25, '47.	"	John Sullivan.	"
241.	Aug. 7, '47.	George Hyde, 1st Alcalde.	Seth S. Lincoln.	"
242.	Sept. 25, '47.	"	Samuel Brannan.	"
243.	March 13, '48.	"	Henry Gerke.	"
244.	March 13, '47.	"	Joseph L. Folsom.	"
245.	March 18, '47.	Edwin Bryant, Chief Mag.	Tobias Cadel.	"
246.	July 15, '47.	George Hyde, 1st Alcalde.	E. P. Jones.	"
247.	March 13, '48.	"	Joseph L. Folsom.	"
248.‡	March 18, '47.	Edwin Bryant, Chief Mag.	John J. Haller.	"
"	Oct. 4, '47.	George Hyde, 1st Alcalde.	Rodman M. Price.	"
249.	Dec. 28, '46.	"	James Stokes.	"
250.	April 21, '47.	Edwin Bryant, Chief Mag.	J. L. Folsom.	"
250‡.	April 21, '47.	"	Wm. H. Warner.	"
251.	Jan. 26, '47.	Wash. A. Bartlett, "	Samuel Kyburg.	"
"	Oct. 7, '47.	George Hyde, 1st Alcalde.	J. S. Ruckel.	"
252.¶	March 30, '47.	Edwin Bryant, Chief Mag.	Anthony Doekin.	"

† Erased. "Void, because not taken out according to public notice. G Hyde, 1st Alcalde." ‡ Erased. "Void. George Hyde, 1st Alcalde."

§ Erased. "This lot being forfeited, was granted to Rodman M. Price, by George Hyde, Alcalde."

|| "This deed has been discarded by the petitioner and the record is hereby erased according to law.—George Hyde, 1st Alcalde."

¶ Erased. "Void, because not called for according to notice.—George Hyde, 1st Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed
252.	July 2, 1847.	George Hyde, 1st Alcalde.	W. John Powell.	Grant on Petition.
253.†	Jan. 26, '47.	Wash. A. Bartlett, Ch of Mag	J. Monet.	"
"	Jan. 24, '47.	George Hyde, 1st Alcalde.	Wm. H. Nuttall.	"
254. ‡	Dec. 28 '46.		John Kettleman.	"
"§	March 4, '47.	Edwin Bryant, Chief Mag.	Wm. H. Fleet.	"
"	June 3, '47.	George Hyde, 1st Alcalde.	Rowland Gilston.	"
255.	Feb. 22, '47.	Wash. A. Bartlett, Chief Mag.	Edwin Bryant.	"
256.	April 3, '47.	"	Charles Russ.	"
257.	April 5, '47.	Edwin Bryant,	Adolphus Russ.	"
258	Jan. 27, 1847.	W. A. Bartlett, Chief Mag.	Louis Doucett.	"
"	July 13, 1847.	George Hyde, 1st Alcalde.	John C. Buchanan.	"
259	Jan. 21, 1847.	W. A. Bartlett, Chief Mag.	Girard Hilgus.	"
"¶	Jan. 26, 1847.	No name.	Joseph Black.	"
260	April 15, '47.	Edwin Bryant, Chief Mag.	Charles Rodrain.	"
261	"	"	Joseph N. Rausch.	"
262	April 3, 1847.	"	Christian Russ.	"
263	March 30, '47.	"	McKenzie Beverly.	"
264	April 15, '47.	"	Robert Semple.	"
265	May 17, 1847.	" Alcalde or Chief Magistrate.	James F. Reed.	"
266††	April 15, 1847.	Edwin Bryant, Chief Mag.	Charles F. Johnson.	"
"	July 13, 1847.	George Hyde 1st Alcalde.	John C. Buchanan.	"
267	March 17, '47.	Edwin Bryant, Chief Mag.	Francis Harding.	"
268	"	"	Charles Docente.	"

† Forfeited, because not taken out of office according to law.—George Hyde, 1st Alcalde." ‡ Erased. "Not taken."

§ Erased. "Forfeited, amt. due \$5 62, having been paid and the purchaser permitted to petition for 155, which has been granted.—Ed Bry-
ant. Alcalde." ¶ "Void, not taken out of the office.—George Hyde, 1st Alcalde." ¶ Erased. "This lot had been granted to Hilgus.—
W. A. B."

†† Erased. "Void, not taken out.—George Hyde, 1st Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
269.	March 16, '47.	Edwin Bryant, Chief Mag.	Phillip Brown.	Grant on Petition.
270.	March 17, '47.	"	August Littell.	"
271.	Oct. 19, 1847.	George Hyde, 1st Alcalde.	Julius Martin.	"
272.†	Feb. 8, 1847.	Wash. A. Bartlett, Chief Magistrate.	Reading McCoy.	"
"†	March 17, '47.	Edwin Bryant,	Alfred Edmondson.	"
"	Dec. 26, 1849.	G. Q. Colton, Justice.	Ferdinand J. McCann.	"
273.	June 19, '46.	Jose de Jesus Noe, Jues de Paz.	Dionicio Garcia.	"
274.	Jan. 11, '47.	George Hyde, Alcalde.	George McKenstry.	"
275.	March 8, 1847.	Edwin Bryant, Chief Mag.	George Panano.	"
276.§	"	"	James Handerrick.	"
"	"	"	Charles C. Burr.	"
277.	"	"	Charles Heath.	"
278.	Jan. 16, 1847.	George Hyde, Alcalde.	Joseph Hicks.	"
"	No date.	"	Wm. A. Leidesdorff.	"
279.¶	April 12, '47.	Edwin Bryant, Chief Mag.	S. E. Woodworth.	"
"	July 24, '47.	George Hyde, 1st Alcalde.	George McDougall.	"
280.	May 26, '47.	Edwin Bryant, Alcalde.	James Barrett.	"
281.	June 1, '47.	George Hyde, 1st Alcalde.	Walter Herran.	"
282.	Aug. 13, '47.	"	Jack Hina.	"
283.	Aug. 27, '47.	"	E. P. Jones.	"
284.	April 7, '47.	Edwin Bryant, Chief Mag.	Henry Harms.	"
285.	May 26, '47.	"	Benj. Kilburn.	"
286.	March 13, '48.	George Hyde, 1st Alcalde.	T. P. Jones.	"

† Erased. "Not taken." ‡ Erased. "Void, the lot previously granted to W. A. Bartlett.—George Hyde, 1st Alcalde."
 § Erased. "Granted to C. C. Burr." || "He having improved saidlot in the name of Joseph Hicks."
 ¶ Erased. "Being forfeited, has been granted to George McDougall.—George Hyde, 1st Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No of Date	Date of Grant	Grantee	Grantor	State, and how conveyed.
287.	June 22, '47.	George Hyde, 1st Alcalde.	Howard Oakley.	Grant on Petition.
288.	Oct. 8, '47.	"	C. W. Wooster.	"
289.	March 18, '47.	Edwin Bryant, Chief Mag.	Jean Kleinsmith.	"
290.	May 26, '47.	"	John N. Curtis.	"
291.	June 2, '47.	George Hyde, 1st Alcalde.	George Hartan.	"
292.	"	"	Joel Hartan.	"
293.	Oct. 19, '47.	"	Julius Martin.	"
294.	June 26, '47.	"	Ira Van Gordon.	"
295.	June 5, '47.	"	Charles L. Ross.	"
296.	June 5, '47.	"	"	"
297.†	March 17, '47.	Edwin Bryant, Chief Mag.	Charles Willington.	"
"	Aug. 6, '47.	George Hyde, 1st Alcalde.	James B. McGee.	"
298.	March 13, '48.	"	E. H. Harrison.	"
299.	June 5, '47.	"	Charles L. Ross.	"
300.	"	"	"	"
301.	Dec. 25, '49.	G. Q. Colton, Justice.	John R. Boyd.	"
302.	Sept. 1, '47.	George Hyde, 1st Alcalde.	Lucy Nutting.	"
303.	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	E. P. Jones.	"
304.	"	"	"	"
305.	Oct. 7, 1848.	"	E. P. Jones.	"
306.	"	"	"	"
307.	June 27, 1849.	"	Charles Richardson.	"
308.	"	"	"	"
309.	Oct. 7, 1848.	"	E. P. Jones.	"

† Erased. " Deed not called for according to law and therefore forfeited—George Hyde, Alcalde "

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
310.	Oct. 7, 1818.	T. M. Leavenworth, Alcalde.	E. P. Jones.	Grant on petition.
311.	"	"	"	"
312.	"	"	"	"
313.	Jan. 15, 1849.	"	George M. Evans.	"
314.	"	"	"	"
315.	Feb. 17, 1849.	"	Zeluca Snow.	"
316.	Feb. 17, 1849.	"	Eliza S. Savage.	"
317.	June 27, '49.	"	Charles Richardson.	"
318.	Feb. 20, '47.	Wash. A. Bartlett, Chief Mag.	Benjamin R. Buckelew.	"
319.†	March 9, '47.	Edwin Bryant, Chief Mag.	John M. Lelland.	"
"	July 13, 1849.	George Hyde, 1st Alcalde.	J. Howard Ackerman.	"
320.	July 12, 1847.	"	Alexander Hatler:	"†
321.	July 19, 1847.	"	Wm. Pettet.	"
322.	March 13, '47.	Edwin Bryant, Chief Mag.	Alexander Hatler.	"
"	July 8, 1847.	George Hyde, 1st Alcalde.	F. Lard.	"
323.	July 19, 1847.	"	Wm. Pettet.	"
324.	March 4, '47.	Edwin Bryant, Chief Mag.	Wm. Hood.	"
325.	March 2, '47.	"	Isaac T. Stebbins,	"
326.	Feb. 19, '47.	"	Peter Wimmer.	"
327.	Feb. 27, '47.	Wash. A. Bartlett, Chief Mag.	Wm. S. Clark.	"
328.	March 25, '48.	Edwin Bryant, Chief Mag.	Charles Albien.	"
329.	"	T. M. Leavenworth, 2d Alcalde and Chief Magistrate	Benjamin R. Buckelew.	"
330.	June 9, 1847.	George Hyde, 1st Alcalde.	"	"

† Erased. "Owing to change in survey 319 is thrown beyond the ground granted to the Town, deed withdrawn and destroyed. E. B. Chief Magistrate. April 2, 1847."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
330.	Dec. 18, '49.	G. Q. Colton, Justice.	H. S. Paine.	Grant on Petition.
331.	March 27, '47.	Edwin Bryant, Chief Mag.	Anthony T. O'Connell.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Charles Bradley.	"
332.	Feb. 8, '47.	Washington A. Bartlett, Chief Mag.	Albert Suhr.	"
333.	March 25, '47.	Edwin Bryant, Chief Mag.	Elisha Lee.	"
334.	March 10, '47.	"	Jemima Gordon.	"
335. †	Dec. 28, '46.	George Hyde, 1st Alcalde.	Henry Chevar.	"
336.	April 5, '47.	Edwin Bryant, Chief Mag.	W. Russell.	"
337.	March 25, '47.	"	John Neill.	"
338.	March 26, '47.	"	Benj. Williams.	"
339.	Aug. 12, '47.	George Hyde, 1st Alcalde.	Lazarus Everhart.	"
340.	Sept. 1, '47.	"	Napoleon Collins.	"
341..	March 13, '48.	"	Victor J. Fourgeaud.	"
342.	June 27, '49.	T. M. Leavenworth, Alcalde.	E. H. Harrison.	"
343.	June 1, 1849.	"	J. H. Brown.	"
344.	Dec. 26, '49.	G. Q. Colton, Justice.	Thomas M. Sargent.	"
345.	March 28, '49.	T. M. Leavenworth, Alcalde.	A. M. Van Nostrand.	"
346.	"	"	"	"
347.	Oct. 7, 1848.	"	E. P. Jones.	"
348.	"	"	"	"
349.	March 13, '48.	George Hyde, 1st Alcalde.	Joseph L. Folsom.	"
350.				
351.				
352.				

† "No. of Lot originally written 236."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
353.	Oct. 7, 1848.	T. M. Leavenworth, Alcalde.	E. P. Jones.	Grant on Petition.
354.	"	"	"	"
355.	"	"	"	"
356.	Dec. 24, '49.	G. Q. Colton, Justice.	Abner Phelps.	"
357.	Dec. 26, '49.	"	Luis Brodyiak.	"
358.	Dec. 26, '49.	G. Q. Colton, Justice.	Aug. T. Winter.	"
359.	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	E. P. Jones.	"
360.	"	"	"	"
361.	May 24, '47.	Edwin Bryant, Alcalde or Chief Magistrate.	H. Wager Halleck.	"
362.	April 30, '47.	Edwin Bryant, Chief Mag.	Thomas Enright.	"
363.	May 1, 1847.	"	John Travers.	"
364.	"	"	Henry Allen.	"
365.	April 30, '47.	"	John Callaghan.	"
366.	Oct. 7, '47.	George Hyde, 1st Alcalde.	H. D. Cooke.	"
367.	July 1, '47.	"	Seth Smith Lincoln.	"
368.	June 12, '47.	"	Wm. Martin.	"
369.	April 30, '47.	Edwin Bryant, Chief Mag.	John Kuntz.	"
370.	"	"	Henry Huber.	"
371.	May 1, '47.	Edwin Bryant, Alcalde or Chief Mag.	George McDougal.	"
372.	April 30, '47.	Edwin Bryant, Chief Mag.	Daniel Leahy.	"
373.	May 4, '47.	Edwin Bryant, Alcalde.	David Duttan.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Graatee.	Estate, and how conveyed.
374.	April 30, '47.	Edwin Bryant, Alcalde.	Wm. Blackburn.	Grant on petition.
375.	Sept. 20, '47.	George Hyde, 1st Alcalde.	Wm. Pettet.	"
376.	May 6, '47.	Edwin Bryant, Alcalde.	Sarah Kettleman.	"
377.	July 15, '47.	George Hyde, 1st Alcalde.	E. P. Jones.	"
378.	Aug. 23, '47.	"	John Eager.	"
379.	July 30, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
380.	"	"	"	"
381.	"	"	"	"
382.	"	"	"	"
383.	Sept. 6, '47.	George Hyde, 1st Alcalde.	Seth S. Lincoln.	"
384.	May 15, '47.	Edwin Bryant, Chief Mag.	Wm. M. Boggs.	"
385.	July 14, '47.	George Hyde, 1st Alcalde.	David Powell.	"
386.	May 19, '47.	Edwin Bryant, Alcalde.	John Kelly.	"
387.	April 30, 1847.	Edwin Bryant, Chief Mag.	George Dolling.	"
388.	May 14, '47.	Edwin Bryant, Alcalde.	Lucius Fagins.	"
389.	May 1, '47.	"	Henry Wood.	"
390.	"	"	Wm. F. Swasey.	"
391.	"	"	William Davis.	"
392.	April 30, '47.	"	Martin Murphy.	"
393.	"	Edwin Bryant, Chief Mag.	Jacob Rippstein.	"
394.	"	"	Christian Bruner.	"
395.	May 27, '47.	Edwin Bryant, Alcalde.	F. P. Wilkes.	"
396.				
397.				

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
398.	July 12, '49.	T. M. Leavenworth, Alcalde.	Caleb Lyon.	Grant on Petition.
399.	June 27, '49.	"	Henry J. McKinly.	"
400.	March 13, '48.	George Hyde, 1st Alcalde.	James Lick.	"
401.	"	"	"	"
402.	"	"	"	"
403.	"	"	"	"
404.	June 23, '47.	Edwin Bryant, Alcalde.	Prudence Aldrich.	"
405. †	May 1, '47.	T. M. Leavenworth, 2d Alcalde.	Lambert B. Clement.	"
"	Oct. 5, '47.	George Hyde, 1st Alcalde.	George Hyde.	"
406.	May 1, '47.	Edwin Bryant, Alcalde.	Wm. Pettet.	"
407.	April 30, '47.	Edwin Bryant, Chief Mag.	Thomas L. Kimsey.	"
408.	Oct. 3, '48.	T. M. Leavenworth, Alcalde.	Henry Thamen.	"
409.			John H. Brown.	"
410.				"
411.	June 3, '47.	George Hyde, 1st Alcalde.	Bryan Murphy.	"
412.	May 1, '47.	Edwin Bryant, Chief Mag.	Alvis Kimsey.	"
413.	June 21, '47.	George Hyde, 1st Alcalde.	Peter Cadel.	"
414.	July 13, '47.	George Hyde, 1st Alcalde.	Irwin Hosford.	"
415.	July 15, '47.	"	E. P. Jones.	"
416.	"	"	"	"
417.	March 13, '48.	"	Joseph L. Folsom.	"
418.	March 14, '48.	"	"	"
419. ‡	May 1, '47.	Edwin Bryant, Alcalde	John Owens.	"

Oct. 5, 1847. George Hyde, 1st Alcalde."

George Hyde, 1st Alcalde."

† Erased.

‡ "Forfeited, because not taken out of the office according to law.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
419.	July 26, '47.	George Hyde, 1st Alcalde.	Anthony Deukin.	Grant on Petition.
420. †	April 30, '47.	Edwin Bryant, Chief Mag.	James Coates.	"
"	Oct. 8, '47.	George Hyde, 1st Alcalde.	C. W. Wooster.	"
421.	July 15, '47.	"	E. P. Jones.	"
422.	"	"	"	"
423.	June 5, '47.	"	Charles Roether.	"
424.	May 3, '47.	Edwin Bryant, Alcalde.	John L. McClain.	"
425.	June 1, '47.	George Hyde, 1st Alcalde.	Mercy Narraman.	"
426.	May 24, '47.	Edwin Bryant, Alcalde, or Chief Magistrate.	or John M. Murphy.	"
427.	"			
428.	"			
429.	Sept. 6, '48.	T. M. Leavenworth, Alcalde.	John H. Brown.	"
430.	April 30, '47.	Edwin Bryant, Alc. & C. M.	James Gill.	"
431.	May 1, '47.	"	Joseph Block.	"
432.	Oct. 5, '47.	George Hyde, 1st Alcalde.	Wm. Pettet.	"
433.	March 21, '50.	John W. Geary, Alcalde.	Hall McAllister.	Town sale.
434.	June 20, '47.	George Hyde, 1st Alcalde.	Asahel D. Piper.	Grant on Petition.
435.	March 14, '48.	"	Wm. A. Leidesdorff.	"
436.	March 13, '48.	"	Valentine Diel.	"
437.	March 14, '48.	"	James Lick.	"
"	"	"	"	"
"	June 27, '49.	T. M. Leavenworth, Alcalde.	J. H. Brown.	"
"	June 30, '49.	"	Wm. Cornell Jowett.	"
438.	March 14, '48.	George Hyde, 1st Alcalde.	James Lick.	"

† Erased.
 " This deed has been discarded by the Petitioner. George Hyde, 1st Alcalde.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Date.	Date of Grant	Grantor.	Grantee.	Estate, and how conveyed.
439.	March 14, '48.	George Hyde, 1st Alcalde.	James Lick.	Grant on Petition.
440.	June 20, '49.	T. M. Leavenworth, Alcalde.	A. G. Abell.	"
"	July 5, '49.	"	Alfred Melhado.	"
441.	June 21, '49.	"	A. G. Abell.	"
442.	Sept. 14, '48.	"	J. H. Brown.	"
443.	Sept. 12, '48.	"	"	"
444.	March 14, '48.	George Hyde, 1st Alcalde.	James Finley.	"
445.	June 7, '47.	"	James C. Low.	"
446.	"	"	"	"
447.	"	"	Robert A. Parker.	"
448.	No date.	"	George McDougall.	"
449.	"	"	"	"
450.	"	"	"	"
451.	June 9, '47.	"	Matthew J. Haan.	"
452.	May 5, '47.	Edwin Bryant, Alc. or C. M.	Henry Hills.	"
453.	June 12, '47.	George Hyde, 1st Alcalde.	Patrick Martin.	"
454.	"	"	"	"
455.	Oct. 1, '49.	John W. Geary, 1st Alcalde.	Victor J. Fourgeaud.	Grant by order of Town Council
456.	June 12, '47.	George Hyde, 1st Alcalde.	James Doyle.	Grant on petition.
"	Dec. 27, '49.	G. Q. Colton, Justice.	Wm. L. Butler.	"
457.	May 25, '47.	Edwin Bryant, Alc. or C. M.	Wm. H. Nuttall.	"
458.	July 26, '47.	George Hyde, 1st Alcalde.	Wm. McDonald.	"
459.	June 30, '47.	"	James M. Allen.	"
460.	Aug. 12, '47.	"	Elbert P. Jones,	"
461.	July 9, '49.	T. M. Leavenworth, Alcalde.	J. C. Dexter,	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
462.	Dec. 19, '49.	G. Q. Colton, Justice.	J. Morton.	Grant on petition.
"	Dec. 26, '49.	"	John F. Forbes.	"
463.	Dec. 19, 1849.	G. Q. Colton, Justice.	William Day.	"
464.	March 14, '48.	George Hyde, 1st Alcalde.	Henry Gerke.	"
465.	June 8, 1847.	"	Joseph Haust.	"
466.	March 14, '48.	"	Wm. A. Leidesdorff.	"
"	July 2, 1849.	T. M. Leavenworth, Alcalde.	Almira Jewett.	"
468.	March 14, '48.	George Hyde, 1st Alcalde.	Joseph L. Folsom.	"
469.	May 15, '47.	Edwin Bryant, Alc. or C. M.	L. W. Boggs.	"
"	Dec. 26, '49.	(G. Q. Colton, Justice.	V. Beaudry.	"
470.	Oct. 1, 1849.	John W. Geary, 1st Alcalde.	Victor J. Fourgeaud.	Grant by order of Town Council
471.	"	"	"	"
472.	May 12, 1847.	Edwin Bryant, Alc. or C. M.	Jeremiah Fallon.	Grant on Petition.
473.	May 5, 1847.	"	Joseph Linc.	"
474.	June 9, 1847.	George Hyde, 1st Alcalde.	Matthew J. Haan.	"
475.	No date.	"	George McDougall.	"
476.	"	"	"	"
477.	"	"	"	"
478.	June 7, 1847.	"	Robert A. Parker.	"
479.	"	"	James C. Low.	"
480.	"	"	"	"
"	Dec. 22, 1849.	G. Q. Colton, Justice.	George Eddy.	"
481.	March 14, '48.	George Hyde, 1st Alcalde.	James Finley.	"
"	Dec. 28, 1849.	G. Q. Colton, Justice.	F. B. Macy.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
482.	March 14, '48.	George Hyde, 1st Alcalde.	Thomas Manchester.	Grant on Petition.
483.	Sept. 9, 1848.	T. M. Leavenworth, Alcalde.	J. H. Brown.	"
484.	"	"	"	"
485.	"	"	"	"
486.	March 14, '48.	George Hyde, 1st Alcalde.	Henry Gerke.	"
487.	June 8, '47.	"	John C. Buchanan.	"
488.	"	"	"	"
489.	June 9, 1847.	"	James Black.	"
490.	June 9, 1847.	George Hyde, 1st Alcalde.	James Black.	"
491.	"	"	"	"
492.	June 4, '47.	"	Deoden Kohler.	"
493.	June 5, '47.	"	Elbert P. Jones.	"
494.	"	"	"	"
495.	June 12, '47.	"	Patrick Breen.	"
496.	May 4, '47.	Edwin Bryant, Alc. or C. M.	Samuel Smith	"
497. †	May 3, '47.	"	John Gavitt.	"
"	Oct. 5, '47.	George Hyde, 1st Alcalde.	Wm. Pettet.	"
498. ‡	May 1, '47.	Edwin Bryant, Alc. or C. M.	Wm. Wall.	"
"	Oct. 5, '47.	George Hyde, 1st Alcalde.	Francis D. Watkins.	"
499.	July 31, '47.	"	John C. Buchanan.	"
500.	March 14, '48.	"	Wm. A. Leidesdorff.	"
501.	"	"	Joseph L. Folsom.	"
502.	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	Thomas H. Stephens.	"
503.	"	"	"	"

† "This deed is null and void by not being taken out according to law. July 15, 1837, Wm. Pettet, Municipal Clerk."

‡ "Null and void, not being taken out according to law. Oct. 6, 1847.—George Hyde, Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
504.	June 27, '49.	T. M. Leavenworth, Alcalde.	J. H. Brown.	Grant on Petition.
505.	"	"	"	"
506.	Dec. 25, '49.	G. Q. Colton, Justice.	D. S. Turner.	"
507.	March 14, '48.	George Hyde, 1st Alcalde.	James Finley.	"
508.	"	"	Wm. A. Leidesdorff.	"
509.	"	"	Joseph L. Folsom.	"
510.	Feb. 22, '47.	"	James C. Ward.	"
511.	June 3, '47.	"	George W. Vincent.	"
512.	June 22, '47.	"	Theodore Griswold.	"
513.	June 5, '47.	"	"	"
514.	June 12, '47.	"	Edward Bray.	"
515.	June 5, '47.	"	Elbert P. Jones.	"
516.	June 5, '47.	"	"	"
517.	June 4, '47.	"	Henry Hartman.	"
518.	June 9, '47.	"	James Black.	"
519.	June 4, '47.	"	John Stutzenegger.	"
520.	"	"	John B. Stutzenegger.	"
521.	June 8, '47.	"	John C. Buchanan.	"
522.	"	"	"	"
523.	March 14, '48.	"	James Lick.	"
534.	"	"	"	"
525.	"	"	"	"
"†	April 12, '49.	T. M. Leavenworth, Alcalde.	Bernard Nollner.	"
526.	Oct. 8, '47.	George Hyde, 1st Alcalde.	Wm. S. Clark.	"

† Erased. "Granted by mistake. It belongs to James Lick."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
527.	Oct. 8, 1847.	George Hyde, 1st Alcalde.	Wm. S. Clark.	Grant on Petition.
528.	March 14, '48.	"	Joseph L. Folsom.	"
529.	"	"	James Lick.	"
530.	"	"	"	"
531.	"	"	Dixon & Hay.	"
"	Dec. 20, '49.	G. Q. Colton, Justice.	George L. Hodgkins.	"
532.	March 14, '48.	George Hyde, 1st Alcalde.	Dixon & Hay.	"
533.	"	"	James Lick.	"
534.	"	"	"	"
535.	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	J. H. Brown.	"
536.	Oct. 8, '47.	George Hyde, 1st Alcalde.	Wm. S. Clark.	"
537.	"	"	"	"
538.	July 2, '47.	"	Benj. S. Lippincott.	"
539.	"	"	"	"
540.	July 7, '47.	"	Wm. C. Parker.	"
541.	"	"	"	"
542.	Oct. 3, '48.	T. M. Leavenworth, Alcalde.	J. H. Brown.	"
543.	March 14, '48.	George Hyde, 1st Alcalde.	Dixon & Hay.	"
544.	July 7, '47.	"	Wm. C. Parker.	"
545.	"	"	"	"
546.	July 2, '47.	"	Benj. S. Lippincott.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Walter C. Gleeman.	"
547.	May 4, '47.	Edwin Bryant, Alcalde or Chief Mag.	J. E. Nuttman.	"
548.	"	"	Jacob Van Pelt.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
549.	June 26, '48.	T. M. Leavenworth, 2d Alcalde.	Benjamin R. Buckelew.	Grant on Petition.
"	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	John Townsend.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	H. A. Neilson.	"
550.	June 26, '48.	T. M. Leavenworth, 2d Alcalde	B. R. Buckelew.	"
"	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	John Townsend.	"
551.	March 14, '48.	George Hyde, 1st Alcalde,	Joseph L. Folsom.	"
552.	Sept. 7, '47.	"	Wm. Honey.	"
"	Sept. 29, '48.	T. M. Leavenworth, Alcalde.	Mills L. Callender.	"
553.	Oct. 4, '47.	T. M. Leavenworth, 2d Alcalde.	George Hyde.	"
554.	"	"	"	"
555.	"	"	"	"
556.	Nov. 1, '47.	George Hyde, 1st Alcalde.	Victor J. Fourgeaud.	"
557.	Nov. 2, '47.	"	G. Fourgeaud.	"
558.	June 21, '47.	"	Charles C. Southward.	"
559.	"	"	"	"
560.	June 9, '47.	"	John C. Buchanan.	"
561.	"	"	"	"
562.	"	"	"	"
563.	June 21, '47.	"	Wm. Nuttall.	"
564.	"	"	"	"
565.	March 14, '48.	"	James Lick.	"
566.				
567.				
568.	Dec. 21, 1849.	G. Q. Colton, Justice.	Ezekiel Jewett.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
568.	Dec. 26, '49.	G. Q. Colton, Justice.	John E. Barnard.	Grant on Petition.
569.	June 9, '47.	George Hyde, 1st Alcalde.	B. R. Buckelew.	"
"	Dec. 19, '49.	G. Q. Colton, Justice.	Horace Pease.	"
570.	June 9, '47.	George Hyde, 1st Alcalde.	B. R. Buckelew.	"
"	Dec. 19, '49.	G. Q. Colton, Justice.	J. B. Lynde.	"
571.	June 9, '47.	George Hyde, 1st Alcalde.	B. R. Buckelew.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Benj. W. Barber.	"
"	Dec. 20, '49.	"	Hugh Toler Boracem.	"
572.	Sept. 29, '48.	T. M. Leavenworth, Alcalde.	Mills L. Callender.	"
573.	Oct. 4, '47.	T. M. Leavenworth, 2d Alcalde.	George Hyde.	"
574.	"	"	"	"
575.	"	"	"	"
576.	Nov. 1, '47.	"	Victor J. Fourgeaud.	"
577.	Nov. 2, '47.	"	G. Fourgeaud.	"
578.	June 21, '47.	"	Charles C. Southward.	"
579.	June 21, '47.	"	Charles C. Southward.	"
580.	June 9, '47.	"	John C. Buchanan.	"
581.	"	"	"	"
582.	"	"	"	"
583.	June 21, '47.	"	Wm. Nuttall.	"
584.	"	"	"	"
585.*				
586.*				

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
587.*	Dec. 19, 1849.	G. Q. Colton, Justice.	John Howison.	Grant on Petition.
588.*	Dec. 24, 1819.	"	Thomas W. Stafford,	"
589.	Dec. 19, 1819.	"	John Howison.	"
590.	Dec. 27, 1819.	"	F. M. Smith.	"
591.	Dec. 19, 1819.	"	Daniel Smith.	"
592.	"	"	"	"
593.	Oct. 9, 1818.	T. M. Leavenworth, Alcalde.	John H. Brown.	"
594.	Dec. 19, 1819.	G. Q. Colton, Justice.	William Wall.	"
595.	Oct. 9, 1818.	T. M. Leavenworth, Alcalde.	J. H. Brown.	"
596.	Dec. 19, 1849.	G. Q. Colton, Justice.	Wm. Wall.	"
597.*	Nov. 29, 1818.	T. M. Leavenworth, Alcalde.	J. C. Puls.	"
598.*	Dec. 25, 1819.	G. Q. Colton, Justice.	Thomas R. Sargent.	"
599.	Feb. 3, 1849.	T. M. Leavenworth, Alcalde.	Samuel Brannan.	"
600.	"	"	"	"
601.	May 5, 1847.	Edwin Bryant, Alcalde	Henry Stone.	"
602.	May 6, 1847.	"	Wm. Francis.	"
603.	Aug. 12, '47.	George Hyde, 1st Alcalde.	Lazarus Everhart.	"
604.	Sept. 19, '48.	T. M. Leavenworth, Alcalde.	Mills L. Callender.	"
605.	May 6, 1847.	Edwin Bryant, Alcalde.	Angelina Sorett.	"
606.	May 26, 1817.	"	A. G. Haskel.	"

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
607.	May 4, 1847.	Edwin Bryant, Alcalde.	James Scott.	Grant on petition.
608.	"	"	Patrick McCue.	"
609.	"	"	Wm. Atherton.	"
610.	"	"	Jesse Stringfellow.	"
611.	Sept. 22, '48.	T. M. Leavenworth, Alcalde.	Seth S. Lincoln.	"
612.	Feb. 17, 1849.	"	"	"
613.	Oct. 10, '47.	George Hyde, 1st Alcalde.	James Scott.	"
614.	"	"	"	"
615.	"	"	"	"
616.	"	"	"	"
617.	Feb. 7, '49.	T. M. Leavenworth, Alcalde.	Seth S. Lincoln.	"
618.	"	T. M. Leavenworth, Alcalde,	John Serrine.	"
		and Chief Magistrate.		
619.†	May 4, '47.	Edwin Bryant, Alcalde.	J. G. Haskel.	"
"	Feb. 7, '49.	T. M. Leavenworth, Alcalde	John Serrine.	"
		and Chief Mag.		
620.	May 10, '47.	Edwin Bryant, Alcalde.	John N. Bigley.	"
621.	May 7, '47.	"	Wm. C. Dotten.	"
622.	May 6, '47.	"	Wm. Scott.	"
623.	July 1, '47.	George Hyde, 1st Alcalde.	James Scott.	"
624.	"	"	"	"
625.	June 26, '49.	T. M. Leavenworth, Alcalde.	Henry J. McKinley.	"
626.	"	"	"	"
627.	June 5, '47.	George Hyde, 1st Alcalde.	Lazarus Everhart.	"

† Crossed out. "Haskell has petitioned for another lot."

SYNOPSIS OF 50 VARA LOTS—Continued.

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
628.	June , 1847.	George Hyde, 1st Alcalde.	Lazarus Everhart.	Grant on Petition.
629.	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	E. P. Jones.	"
"	Dec. 30, '48.	"	Henry Gillingham.	"
630.	Oct. 7, '48.	"	Elbert P. Jones.	"
"	Feb. 3, '49.	"	George M. Evans.	"
631.	July 2, '49.	"	Thomas B. Winston.	"
632.	"	"	"	"
633.	Nov. 29, '48.	"	J. C. Pulis.	"
634.	"	"	"	"
635.	Oct. 9, '48.	"	J. H. Brown.	"
"	Dec. 19, '49.	"	Wm. Wall.	"
636.	Oct. 9, '48.	G. Q. Colton, Justice.	J. H. Brown.	"
"	Dec. 19, '49.	T. M. Leavenworth, Alcalde.	Wm. Wall.	"
637.	Dec. 19, '49.	G. Q. Colton, Justice.	Daniel Smith.	"
"	Dec. 19, '49.	G. Q. Colton, Justice.	George Harris.	"
638.	Dec. 26, '49.	"	Daniel Smith.	"
"	Dec. 19, '49.	"	A. M. Dorrance.	"
639.	Dec. 26, '49.	"	John Howison.	"
640.	Dec. 19, '49.	"	"	"
641.*	"	"	"	"
642.	Jan. 1, '50.	"	Henry Briggs.	"
643.	"	"	Charles H. Lang.	"
644.	Dec. 27, '49.	"	Phineas Davis.	"
645.*	"	"	"	"

† Erased. "This lot was granted to E. Jones, and this grant was void.—T. M. Leavenworth."
 * No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
646.	Dec. 24, '49.	G. Q. Colton, Justice.	Galen Burdell.	Grant on Petition.
"	Dec. 26, '49.	"	James O. Parker.	"
647. *				
648. *				
649.	July 2, '49.	T. M. Leavenworth, Alcalde.	Thomas B. Winston.	"
650.	"	"	"	"
651.	Oct. 7, '48.	"	E. P. Jones.	"
652.	"	"	"	"
653.	June 5, 1847.	George Hyde, 1st Alcalde.	Lazarus Everhart.	"
654.	"	"	"	"
655. *				
656.	Oct. 28, '47.	"	J. Monet.	"
657.	July 1, '47.	"	James Scott.	"
658.	"	"	"	"
659.	Oct. 3, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
660.	Aug. 17, '47.	George Hyde, 1st Alcalde.	James Scott.	"
661.	Oct. 3, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
662.	Feb. 3, '49.	T. M. Leavenworth, Alcalde.	George M. Evans.	"
663.	Dec. 27, '49.	G. Q. Colton, Justice.	Ezra Stetson.	"
664.	Feb. 7, 1849.	T. M. Leavenworth, Alcalde.	Seth S. Lincoln.	"
665.	Feb. 17, '49.	"	"	"
666.	"	"	"	"
667. †	May 11, '47.	Edwin Bryant, Alcalde.	J. H. Merrill.	"
"	June 21, '47.	George Hyde, 1st Alcalde.	"	"

* No record of any grant of this lot.

† Crossed out. "This lot, No. 667, is covered by 100 vara lots and cannot be granted.—J. C. Buchanan, Municipal Clerk."

SYNOPSIS OF 50 VARA LOTS—Continued.

No of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
668.	June 21, '47.	George Hyde, 1st Alcalde.	J. H. Merrill.	Grant on Petition.
669.	Aug. 16, '47.	"	Elbert P. Jones.	"
670.	Aug. 20, '47.	"	T. M. Leavenworth.	"
671.	June 26, '47.	"	F. P. Wierzbicki.	"
672.	"	"	"	"
673.	June 5, '47.	"	L. B. Clements.	"
674.	"	No signature to Grant.	James D. Curl.	"
"	July 25, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. Hann.	"
675.	June 5, '47.	No signature to Grant.	James McClures.	"
676.	Oct. 12, 1847.	George Hyde, 1st Alcalde.	Wm. Pettet.	"
677.	June 26, '49.	T. M. Leavenworth, Alcalde.	Henry J. McKinley.	"
"	July 2, '49.	"	Charles Melhado.	"
678.	June 30, '49.	"	Henry J. McKinley.	"
679.	"	"	"	"
680.	June 21, '47.	George Hyde, 1st Alcalde.	J. H. Merrill.	"
681.	"	"	"	"
682.	"	"	"	"
683.	Aug. 20, 1847.	"	T. M. Leavenworth.	"
684.	June 26, 1847.	"	F. P. Wierzbicki.	"
685.	"	"	"	"
686.	June 5, 1847.	No signature to Grant.	James D. Curl.	"
"	July 25, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. Hann.	"
687.	Oct. 12, 1847.	George Hyde, 1st Alcalde.	Wm. Pettet.	"
688.	June 26, '49.	T. M. Leavenworth, Alcalde.	Henry J. McKinley.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant	Grantor.	Grantee.	Estate, and how conveyed.
689.	June 30, '49.	T. M. Leavenworth, Alcalde.	Henry J. McKinley.	Grant on Petition.
690.	"	"	"	"
691.	July 25, '48.	"	John B. Sturtznegger.	"
692.	"	"	"	"
693.	Aug. 31, '47.	George Hyde, 1st Alcalde.	E. P. Jones.	"
694.	June 5, '47.	No signature to Grant.	John Boy.	"
"	Sept. 5, '47.	George Hyde, 1st Alcalde.	John Powell.	"
695. †	July 2, '47.	"	Benj. S. Lippincott.	"
" ‡	June 5, '47.	No signature to Grant.	John Boy.	"
696.	Aug. 19, '47.	George Hyde, 1st Alcalde.	Elbert P. Jones.	"
697.	"	"	"	"
698.	"	"	"	"
699.	"	"	"	"
700.	Sept. 11, '47.	"	Lewis S. Sajat.	"
701.	July 26, '47.	"	Wm. John Powell.	"
702.	"	"	"	"
703.	"	"	"	"
704.	"	"	"	"
705.	Sept. 11, '47.	"	Lewis S. Sajat.	"
706.	July 25, '48.	T. M. Leavenworth, 2d Alc.	Charles Cobb.	"
707.	"	"	"	"
708.	"	"	"	"
709. §	March 6, '48.	George Hyde, 1st Alcalde.	Lazarus Everhart.	"
709.	June 30, '49.	T. M. Leavenworth, Alcalde.	Henry J. McKinley.	"

† " Francisco street, between Dupont and Stockton sts." ‡ " S. W. corner of Francisco and Stockton sts."

§ " S. E. corner Sansome and Pine sts." || " N. W. corner of Chesnut and Jones sts."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
710.	Sept. 20, '48.	T. M. Leavenworth, Alcalde.	Mills L. Callender.	Grant on petition.
711.	Oct. 19, '47.	George Hyde, 1st Alcalde.	Julius Martin.	"
712.	Oct. 4, '47.	George Hyde, 1st Alcalde.	Rodman M. Price.	"
713.	"	"	"	"
714.	July 17, '47.	"	John B. R. Cooper.	"
715.	July 16, '47.	"	Thomas Russen.	"
716.	Sept. 20, '48.	T. M. Leavenworth, Alcalde.	Mills L. Callender.	"
717.	July 17, '47.	George Hyde, 1st Alcalde.	Walter Huron.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Kingsbury Root.	"
718.	Jan. 9, '50.	"	John Gordon.	"
719.*	"	"	"	"
720.	Sept. 16, '47.	George Hyde, 1st Alcalde.	Lewis S. Sajt.	"
721.	July 17, '47.	"	John C. Buchanan.	"
722.*	"	"	"	"
723.*	"	"	"	"
724.	Feb. 21, '49.	T. M. Leavenworth, Alcalde.	A. J. Smith.	"
725.	July 17, '47.	George Hyde, 1st Alcalde.	E. H. Harrison.	"
726.	Dec. 23, '48.	T. M. Leavenworth, Alcalde.	Henry Gillingham.	"
"	Dec. 27, '49.	G. Q. Colton, Justice.	Edward Barry.	"
727.	Dec. 13, '48.	No signature.	Henry Gillingham.	"
"	Dec. 30, '48.	T. M. Leavenworth, Alcalde.	"	"
728.*	"	"	"	"
729.	Feb. 5, '50.	G. Q. Colton, Justice.	J. C. A. Nolting.	"
730.	Oct. 3, '48.	T. M. Leavenworth, Alcalde.	Alexander Perry.	"
731.	"	"	"	"

✓ No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Date.	Date of Grant	Grantor	Grantee.	Estate, and how Conveyed.
731.	Dec. 13, '48.	No Signature.	Henry Gillingham.	Grant on Petition.
"	Dec. 30, '48.	T. M. Leavenworth, Alcalde.	"	"
"	Dec. 17, '49.	G. Q. Colton, Justice.	Alexander Crocker.	"
732.	Dec. 25, '49.	"	A. W. Alexander.	"
733.	Dec. "	"	Wm. Brooks.	"
"	Jan. 18, '50.	"	James Nooney.	"
734.	Dec. 30, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. M. Stewart.	"
"	Jan. 4, '40.	G. Q. Colton, Justice.	Thomas Whaley.	"
735.	Dec. 30, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. M. Stewart.	"
"	Dec. 25, '49.	G. Q. Colton, Justice.	Dennis S. Perkins.	"
736.	Dec. 19, '49.	"	George Clark.	"
737.*				
738.	Dec. 30, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. M. Stewart.	"
739.	Dec. "	"	"	"
"	Dec. 25, '49.	G. Q. Colton, Justice.	Jacob M. Tewksbury.	"
740.	Dec. 19, '49.	"	Thomas Jackson.	"
741.	Dec. "	"	John Hagerthy.	"
742.	Jan. 1, '49.	T. M. Leavenworth, 2d Alcalde.	Wm. M. Stewart.	"
743.	Dec. "	"	"	"
"	Dec. 25, '49.	G. Q. Colton, Justice.	Andrew N. Bell.	"
744.	Jan. 1, '49.	T. M. Leavenworth, 2d Alcalde.	Wm. M. Stewart.	"
745.	Dec. "	"	"	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Wm. T. Mills.	"
746.	Aug. 26, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. M. Stewart.	"

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
747.	Aug. 26, 1848.	T. M. Leavenworth, 2d Alc.	Wm. M. Stewart.	Grant on Petition.
748.	June 30, '49.	" Alcald.	Henry J. McKinley.	"
749.	Dec. 27, '49.	G. Q. Colton, Justice.	Albert Handy.	"
750.	June 27, '49.	T. M. Leavenworth, Alcald.	Charles Richardson.	"
751.	June 30, '49.	"	Henry J. McKinley.	"
752.	"	"	"	"
753.†	No date.	George Hyde, 1st Alcald.	Wm. McDonald.	"
753.†	March 25, '48.	T. M. Leavenworth, 2d Alcald.	Charles Cobb.	"
754.	No date.	George Hyde, 1st Alcald.	Wm. McDonald.	"
755.	Nov. 2, '47.	George Hyde, 1st Alcald.	Wm. McDonald.	"
756.	Nov. 2, '47.	"	"	"
757.	"	"	"	"
758.	"	"	"	"
759.	Aug. 8, '48.	T. M. Leavenworth, Alcald.	B. R. Buckelew.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Charles W. Hayden.	"
760.	Aug. 8, '48.	T. M. Leavenworth, Alcald.	B. R. Buckelew.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	George R. Ward.	"
761.	Aug. 8, '48.	T. M. Leavenworth, Alcald.	B. R. Buckelew.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Benj. W. Mudge.	"
762.	Aug. 8, '48.	T. M. Leavenworth, Alcald.	B. R. Buckelew.	"
763.	"	"	"	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	D. W. Coit.	"
764.*				

† N. E. corner of Stockton and Geary streets.

‡ S. E. corner of Francisco and Jones streets.

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant	Grantor.	Grantee.	Estate, and how conveyed.
765.	Oct. 8, '47.	T. M. Leavenworth, 2d Alcalde.	George Hyde.	Grant on Petition.
766.	"	"	"	"
767.	"	"	"	"
768.	"	"	"	"
769.	"	"	"	"
770.	July 23, '49.	T. M. Leavenworth, Alcalde.	Wm. M. Eddy.	"
771.	"	"	"	"
772.	"	"	"	"
773.	"	"	"	"
774.	"	"	"	"
775.*	"	"	"	"
776.	"	"	"	"
777.	"	"	"	"
778.	"	"	"	"
779.	"	"	"	"
780.	"	"	"	"
781.	Dec. 27, '49.	G. Q. Colton, Justice.	H. H. Thrall.	"
782.*	"	"	"	"
783.	Dec. 27, 1849.	G. Q. Colton, Justice.	T. B. Ball.	"
784.*	"	"	"	"
785.*	"	"	"	"
786.*	"	"	"	"
787.*	"	"	"	"

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant	Grantor.	Grantee.	Estate, and how conveyed. Grant on Petition.
788.*	Sept. 18, '48.	T. M. Leavenworth, Alcalde.	James Findla.	"
789.*	"	"	"	"
790.*	"	"	"	"
791.*	"	"	"	"
792.*	"	"	"	"
793.*	"	"	"	"
794.	"	"	"	"
795.	"	"	"	"
796.	"	"	"	"
797.	"	"	"	"
798.	"	"	"	"
799.	"	"	"	"
800.	"	"	"	"
801.	"	"	"	"
802.	"	"	"	"
803.	"	"	"	"
804.	"	"	"	"
805.	"	"	"	"
806.	Sept. 22, '48.	"	Seth S. Lincoln.	"
807.	"	"	"	"
808.*	"	"	"	"
809.	Dec. 27, 1849.	G. Q. Colton, Justice.	Henry Martin.	"
810.	Sept. 29, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
811.	"	"	"	"

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
812.	Oct. 3, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	Grant on Petition.
813.	"	"	"	"
814.	Sept. 29, '48.	"	"	"
815.	"	"	"	"
816.	Dec. 18, '49.	G. Q. Colton, Justice.	John Anderson.	"
817.	"	"	"	"
818.	Dec. 21, '49.	"	John Walker.	"
819.	"	"	"	"
820.	"	"	"	"
"	Jan. 5, '50.	"	Wm. W. Huse.	"
821.	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	E. P. Jones.	"
"	March 16, 1849, and April 27, 1849.	"	Samuel Brannan.	"
822.	Oct. 7, '48.	"	E. P. Jones.	"
"	March 16, 1849, and April 27, 1849.	"	Samuel Brannan.	"
823.	Oct. 7, '48.	"	E. P. Jones.	"
"	March 16, 1849, and April 27, 1849.	"	Samuel Brannan.	"
824.	Oct. 7, '48.	"	E. P. Jones.	"
"	March 16, 1849, and April 27, 1849.	"	Samuel Brannan.	"
825.	"	"	"	"
826.	"	"	"	"
827.	June 30, '49.	"	Joseph W. Osborn.	"
828.	"	"	"	"
829.	"	"	"	"
830.	"	"	"	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed
831.	Dec. 23, '49.	G. Q. Colton, Justice.	D. Ugelberger.	Grant on Petition.
832.	Dec. 23, 1849.	"	James C. Hutton.	"
833.	Dec. 21, 1849.	"	John Walker.	"
834.	Dec. 18, 1849.	"	John Anderson.	"
"	Dec. 23, 1849.	"	Isaac Jerome.	"
835.	Dec. 18, 1849.	"	John Anderson.	"
"	Dec. 23, 1849.	"	Hiram Russell.	"
836.	Sept. 29, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
837.	"	"	"	"
838.	Oct. 3, 1848.	"	"	"
839.	"	"	"	"
840.	Sept. 29, '48.	"	"	"
841.	"	"	"	"
842.	Dec. 26, '49.	G. Q. Colton, Justice.	Charles Loring.	"
843.	"	"	Jasper J. Papy.	"
844.	Sept. 22, 1848.	T. M. Leavenworth, Alcalde.	Seth S. Lincoln.	"
845.	"	"	"	"
846.	"	"	"	"
847.	"	"	"	"
848.	Dec. 27, '49.	G. Q. Colton, Justice.	S. A. Toothaker.	"
849.	Dec. 26, '49.	"	Thomas Connolly.	"
850.	Sept. 29, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
851.	"	"	"	"
852.	Oct. 3, 1848.	"	"	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
853.	Oct. 3, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	Grant on petition.
854.	Sept. 29, '48.	"	"	"
855.	"	"	"	"
856.*				
857.*				
858.	Dec. 19, '49.	G. Q. Colton, Justice.	John Archbold.	"
859.	"	"	"	"
"	Dec. 23, '49.	"	Daniel Goddard.	"
860.	Dec. 19, '49.	"	Andrew Collins.	"
861.	"	"	"	"
862.	Oct. 3, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
863.	"	"	"	"
864.	"	"	Aguilla Glover.	"
865.	"	"	"	"
866.	Oct. 7, '48.	"	Wm. S. Clark.	"
"†	Feb. 5, '48.	No signature.	Joseph McLane.	"
867.	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	W. S. Clark.	"
"†	Feb. 5, '48.	No signature.	Joseph McLane.	"
868.	Feb. 17, '49.	T. M. Leavenworth, Alcalde.	Seth S. Lincoln.	"
869.	"	"	"	"
870.	"	"	"	"
871.	Feb. 5, '48.	No signature.	Joseph McLane.	"
872.†	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
"				

* No record of any grant of this lot.

† Erased.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
873.†	Feb. 5, '48.	No signature.	Joseph McLinc.	Grant on Petition.
"	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
874.	Oct. 3, '48.	"	Aguilla Glover.	"
875.	"	"	"	"
876.	"	"	Wm. S. Clark.	"
877.	"	"	"	"
878.	Dec. 19, '49.	G. Q. Colton, Justice.	Andrew Collins.	"
879.	"	"	"	"
880.	"	"	John Archbold.	"
881.	Dec. 19, '49.	G. Q. Colton, Justice.	John Archbold.	"
882.	Feb. 17, '49.	T. M. Leavenworth, Alcalde.	Seth S. Lincoln.	"
883.	"	"	"	"
884.	Oct. 7, '48.	"	Wm. S. Clark.	"
885.	"	"	"	"
886.	Oct. 3, '48.	"	Aguilla Glover.	"
887.	"	"	"	"
888.	"	"	Wm. S. Clark.	"
889.	"	"	"	"
890.*				
891.*				
892.*				
893.*				
894.*				
895.*				

* No record of any grant of this lot.

† Erased.

SYNOPSIS OF 50 VARA LOTS—Continued.

121

No. of Lot.	Date of Grant	Grantor.	Grantee.	Estate, and how Conveyed.
896.	Dec. 27, '49.	J. Q. Colton, Justice.	Isaac N. Hall.	Grant on Petition.
897.	Dec. 19, '49.	"	Wm. Faudlan.	"
"	Dec. 27, '49.	"	Abner J. Hall.	"
898.	March 21, '50.	John W. Geary, Alcalde.	James Findla.	Grant in exchange by order of Council.
899.	"	"	"	"
900.	"	"	"	"
901.	Sept. 8, '48.	T. M. Leavenworth, Alcalde.	Henry Gerke.	Grant on Petition.
902.	"	"	"	"
903.	"	"	"	"
904.	"	"	"	"
"	March 21, '50.	John W. Geary, Alcalde.	James Findla.	Grant in exchange by order of Council.
905.	"	"	"	"
906.	"	"	"	"
907.	"	"	"	"
908.	"	"	"	"
909.	"	"	"	"
910.	"	"	"	"
911.	"	"	"	"
912.	"	"	"	"
913.	"	"	"	"
914.	"	"	"	"
915.	"	"	"	"

SYNOPSIS OF 50 VARA LOTS—Continued.

122

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
916.	March 21, '50.	John W. Geary, Alcalde.	James Findla.	Grant in exchange by order of Council.
917.	"	"	"	"
918.	Sept. 7, 1848.	T. M. Leavenworth, Alcalde.	"	Grant on petition.
919.	"	"	"	"
920.	March 21, '50.	John W. Geary, Alcalde.	"	Grant in exchange by order of Council.
921.	"	"	"	"
922.	"	"	"	"
923.	"	"	"	"
924.	"	"	"	"
925.	Dec. 27, 1849.	G. Q. Colton, Justice.	John M. Sherwood.	Grant on Petition.
926.	March 21, '50.	John W. Geary, Alcalde.	James Findla.	Grant in exchange by order of Council.
927.	"	"	"	"
928.	"	"	"	"
929.	Dec. 21, 1849.	G. Q. Colton, Justice.	Richard Woldson.	Grant on Petition.
930.	"	"	"	"
"	March 19, '50.	John W. Geary, Alcalde.	Henry Gerke.	Grant in exchange by order of Council.
931.	Sept. 7, 1848.	T. M. Leavenworth, Alcalde.	James Findla.	Grant on Petition.
932.	"	"	"	"
933.	"	"	"	"
934.*	"	"	"	"

* No record of any grant of this lot.

SYNOPSIS OF 50 VARIANTS--Continued.

No. of Lot.	Date of Grant.	Grantor	Grantee.	Estate, and how Conveyed.
935.	March 19, '50.	John W. Geary.	Henry Gerke.	Grant in exchange by order of Council.
936. *		"	James Findla.	"
937. *	March 21, '50.	"	Alfred J. Ellis.	Town sale.
938.	Nov. 28, '49	"	Wm. M. Eddy.	"
939.	"	"	Henry Gerke.	"
940.	"	"	Henry Dickinson.	"
941.	"	"	"	"
942.	"	"	Daniel Stark.	"
943.	"	"	Wm. M. Eddy & H. L. Dodge.	"
944.	"	"	Thomas Hall.	Grant on Petition.
945.	Dec. 19, '49.	G. Q. Colton, Justice.	Wm. Stringer.	"
946.	Dec. 27, '49.	"	Thomas Hall.	"
"	Dec. 19, '49.	"		
947.				
948. *				
949. *				
950. *				
951.	Dec. 27, '49.	"	Seth M. Cody.	"
952.	Dec. 19, '49.	"	Thomas Hall.	"
"	Dec. 27, '49.	"	John J. Packard.	"
"	Jan. 1, '50.	"	Wm. Ford.	"
953.	Dec. 19, '49.	"	Thomas Hall.	"
"	Dec. 27, '49.	"	Crawford Riddell.	"
"	Jan. 1, '50.	"	John Sharp.	"

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
954.	Nov. 28, '49.	John W. Geary, Alcalde.	Antomo J. Perriera.	Town sale.
955.	Sept. 20, '48.	T. M. Leavenworth, Alcalde.	James Findla.	Grant on Petition.
956.	Nov. 28, '49.	John W. Geary, Alcalde.	Carlos McThurn.	Town sale.
957.	Nov. 28, 1849.	John W. Geary, Alcalde.	Henry Dickinson.	"
958.	"	"	"	"
959.	"	"	Samuel Brannan.	"
960.	"	"	Henry Gerke.	"
961.	"	"	Samuel Brannan.	"
962.	"	"	P. Dexter Tiffany.	"
963.	"	"	Samuel Brannan.	"
964.	"	"	John D. Munford.	"
965.	"	"	Anthony Ten Eyck.	"
966.	"	"	Wm. Paty.	"
967.	"	"	John B. Bigelow, Farelly Al- den, and Charles E. Stone.	"
968.	"	"	Joseph C. Buffum.	"
969.	"	"	Anthony Ten Eyck.	"
970.*				
971.	Nov. 28, 1849.	John W. Geary, Alcalde.	Adrian Poursilla.	Town Sale.
972.	"	"	George R. Morris.	"
973.	"	"	Ed. Barry.	"
974.	"	"	James Gallagher.	"
975.	"	"	James Wilcox.	"
976.	"	"	William Paty.	"

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
977.	Nov. 28, 1849.	John W. Geary, Alcalde.	Charles R. Johnson.	Town Sale.
978.	"	"	Henry Gerke.	"
979.	"	"	George W. Fenno.	"
980.	"	"	Eleanor Walsh.	"
981.	"	"	Charles H. Brinley.	"
982.	"	"	Thomas H. Blythe.	"
983.	"	"	John O. Domines.	"
984.	"	"	George H. Smith.	"
985.	"	"	Augustus O. Garrett & Oliver H. Pearson.	"
986.	"	"	Samuel Brannan.	"
987.	"	"	William Paty.	"
988.	"	"	Thomas Sprague.	"
989.	"	"	John D. Munford.	"
990.	"	"	J. B. Timmerman.	"
991.	"	"	Augustus O. Garrett and Oliver H. Pearson.	"
992.	"	"	James Wilcox.	"
993.	"	"	Charles E. Hitchcock.	"
994.	"	"	H. L. Dodge and J. H. Foster.	"
995.	"	"	George R. Morris.	"
996.	"	"	George T. Upham.	"
997.	"	"	Henry L. Dodge.	"
998.	"	"	John D. Munford.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed.
999.	Nov. 28, 1849.	John W. Geary, Alcalde.	Henry Gerke.	Town sale.
1000.	"	"	G. W. Thompson.	"
1001.	"	"	R. D. & E. Hart.	"
1002.	"	"	Thomas Cummins.	"
1003.	"	"	Charles E. Brinley.	"
1004.	"	"	Thomas Sprague.	"
1005.	"	"	Thomas H. Blythe.	"
1006.	"	"	R. D. & E. Hart.	"
1007.	"	"	Franklin C. Gray & Grove	"
			C. McMickle.	
1008.	"	"	George P. Upham.	"
1009.	"	"	Henry Gerke.	"
1010.	"	"	Charles G. Scott.	"
"	Dec. 27, '49.	G. Q. Colton, Justice.	Wm. Hall Grey.	Grant on Petition.
1011.	Nov. 28, '49.	John W. Geary, Alcalde.	Henry Gerke.	Town sale.
1012.	"	"	Thomas Douglass.	"
1013.	Nov. 28, '49.	"	Joha D. Mumford.	"
1014.	"	"	Henry Gerke.	"
1015.	"	"	S. Brauman.	"
1016.	"	"	Farelly Alden and Charles	"
			E. Stone.	
1017.	"	"	Wm. Codington.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1018.	Nov. 28, 1849.	John W. Geary, Alcalde.	Erastus V. Joice.	Town sale.
1019.	Dec. 10, '49.	"	Henry Gerke.	"
1020.	"	"	Joseph T. White & John de la Montaigne.	"
1021.	Dec. 21, '49.	G. Q. Colton, Justice.	Thomas Archbold.	Grant on Petition.
"	Dec. 27, '49.	"	S. C. Snooks.	"
1022.	Dec. 21, '49.	"	Thomas Archbold.	"
"	Dec. 27, '49.	"	Francis L. Leech.	"
1023.	Dec. 21, '49.	"	Aug. Howison.	"
"	Dec. 27, '49.	"	Alfred Thompson.	"
1024.	Dec. 21, '49.	"	Aug. Howison.	"
1025.	Dec. 19, '49.	"	Henry McVisher.	"
1026.	"	"	"	"
1027.	Dec. 21, '49.	"	Richard Woldson.	"
1028.	"	"	"	"
"	Dec. 23, 1849.	"	Benj. S. Brooks.	"
1029.*				
1030.*				
1031.	Dec. 19, '49.	"	Henry McVisher.	"
1032.	"	"	"	"
1033.	Dec. 21, '49.	"	Aug. Howison.	"
1034.	"	"	"	"
1035.	"	"	Thomas Archbold.	"

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of grant.	Grantor.	Grantee.	Estate, and how conveyed.
1036.	Dec. 2, '49.	G. Q. Colton, Justice.	Thomas Archbold.	Grant on petition.
1037.	Dec. 10, '49.	John W. Geary, Alcalde.	A. J. Ferreira.	Town sale.
1038.	Dec. 10, 1849,	"	Henry Gerke.	"
1039.	"	"	Ard Regnolds.	"
1040.	"	"	"	"
1041.	Nov. 28, 1849.	"	John D. Munford.	"
1042.	"	"	"	"
1043.	"	"	John O. Garrett.	"
1044.	"	"	G. W. Thompson.	"
1045.	"	"	David Logan.	"
1046.	"	"	Charles G. Scott.	"
1047.	"	"	Henry Gerke.	"
1048.	"	"	"	"
1049.	"	"	"	"
1050.	"	"	J. Ward Raymond.	"
1051.	"	"	John D. Munford.	"
1052.	"	"	Joseph D. P. Green.	"
1053.	"	"	Gosse & Espic.	"
1054.	"	"	Wm. K. Moore.	"
1055.	"	"	Robert White	"
1056.	"	"	David Logan.	"
1057.	"	"	"	"
1058.	"	"	Alonzo H. Parker.	"
1059.	"	"	Alexander McGee.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1060.	Nov. 28, 1849.	John W. Geary, Alcalde.	Ed. O. Donnell.	Town sale.
1061.	"	"	Abia A. Selover.	"
1062.	"	"	Henry L. Dodge.	"
1063.	"	"	Matthew Crooks.	"
1064.	"	"	Albert A. Bennet.	"
1065.	Dec. 10, 1849.	"	Richard S. Pardee & C. W. Butterfield.	"
1066.	"	"	Francis Hoen.	"
1067.	"	"	Robert McKinley.	"
1068.	"	"	Henry L. Dodge & Ard Reynolds.	"
1069.	Dec. 27, '49.	G. Q. Colton, Justice.	Moses L. Wigglesworth.	Grant on Petition.
1070.	"	"	Wm. A. Spier.	"
1071.*				
1072.*				
1073.	Dec. 27, '49.	"	Charles E. Huse.	"
1074.	Dec. 21, '49.	"	Alex. Raynor.	"
"	Dec. 23, '49.	"	Wm. W. Huse.	"
1075.	"	"	J. E. Sylveria.	"
1076.	"	"	J. E. Sylveria & Co.	"
1077.	June 20, '49.	T. M. Leavenworth, Alcalde.	Joseph W. Osborn.	"
1078.	"	"	"	"
1079.	Dec. 10, '49.	John W. Geary, Alcalde.	Herman Husband.	Town sale.
1080.	"	"	Joseph S. White and John de la Montaigne.	"
1081.*	"	"	George W. Green.	Town sale.
1082.	"	John W. Geary, Alcalde.		

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how Conveyed
1083.	Dec. 10, '49.	John W. Geary, Alcalde.	A. V. H. Le Roy.	Town Sale.
1084.	"	"	Thomas Sprague.	"
1085.	"	"	Drury J. Tallant and Stephen C. Simmons.	"
1086.	"	"	Thomas Sprague.	"
1087.	"	"	John Elden.	"
1088.	"	"	Daniel Markwald.	"
1089.	"	"	Henry Gerke.	"
1090.	"	"	D. C. Broderick and Frederick Kohler.	"
1091.	Nov. 28, '49.	"	Charles White.	"
1092.	"	"	Matthew Crooks.	"
1093.	"	"	Daniel Foy.	"
1094.	"	"	Antonio J. Ferroira.	"
1095.	"	"	John D. Munford.	"
1096.	"	"	"	"
1097.	"	"	Adolph Markwald.	"
1098.	"	"	Alfred Wheeler and C. C. P. Parker.	"
1099.	"	"	Henry L. Dodge.	"
1100.	"	"	Eleanor Walsh.	"
1101.	"	"	Matthew Crooks.	"
1102.	"	"	John D. Munford.	"
1103.	Dec. 18, '49.	G. Q. Colton, Justice.	Alonzo H. Parker.	Grant on Petition.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1104.	Dec. 18, 1849.	G. Q. Colton, Justice.	E. C. March.	Grant on Petition.
1105.	"	"	George B. Post.	"
1106.	Nov. 28, '49.	John W. Geary, Alcalde.	Flavel S. Mines.	Town sale.
1107.	"	"	Oliver S. Halsted, Jr.	"
1108.	"	"	"	"
1109.	"	"	Charles W. Lawton.	"
1110.	"	"	"	"
1111.	"	"	H. L. Dodge.	"
1112.	"	"	Charles White.	"
1113.	"	"	"	"
1114.	"	"	Antonio J. Ferreira.	"
1115.	"	"	J. B. Timmerman.	"
1116.	"	"	John D. Munford.	"
1117.	"	"	Felix McDonald.	"
1118.	Dec. 10, '49.	"	Drury J. Tallant and S. C. Simmons.	"
1119.	"	"	James Wilcox.	"
1120.	"	"	Thomas H. Holt.	"
1121.	"	"	Theodore de Rutte and Louis Constant Tissot.	"
1122.	Dec. 10, '49.	"	Tallant & Simmons.	"
1123.	"	"	Thomas G. Spear.	"
1124.	"	"	Thomas H. Holt.	"
1125.	"	"	Tallant & Simmons.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of grant.	Grantor.	Grantee.	Estate, and how conveyed.
1126.	Dec. 10, '49.	John W. Geary, Alcalde.	Thomas Sprague.	Town sale.
1127.	"	"	Horatio S. Gates & John Van De Water.	"
1128.	"	"	J. Heron Foster.	"
1129.	"	"	Stephen R. Harris.	"
1130.	June 20, '49.	T. M. Leavenworth, Alcalde.	Joseph W. Osborn.	Grant on Petition.
1131.	"	"	"	"
1132.*				
1133.*				
1134.	Dec. 10, '49.	John W. Geary, Alcalde.	Broderick & Kohler.	Town sale.
1135.	"	"	Stephen R. Harris.	"
1136.	"	"	"	"
1137.	"	"	David Logan.	"
1138.	"	"	Susan Whipple & Richard H. Tibbetts.	"
1139.	"	"	Tallant & Simmons.	"
1140.	"	"	George W. Geene.	"
1141.	"	"	Norman Bugbee.	"
1142.	"	"	S. C. Simmons & Joseph H. Seull.	"
1143.	"	"	J. Heron Foster and Henry L. Dodge.	"

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor	Grantee.	Estate, and how conveyed.
1144.	Dec. 10, 1849.	John W. Geary, Alcalde.	Drury J. Tallant and S. C. Simmons.	Town sale.
1145.	"	"	J. P. West.	"
1146.	Nov. 28, 1849.	"	Joseph de P. Green.	"
1147.	"	"	H. D. Johnson.	"
1148.	"	"	Christopher C. Webb.	"
1149.	"	"	Vincent M. Lucio.	"
1150.	Nov. 28, 1849.	"	Henry Gerke.	"
1151.	"	"	"	"
1152.	"	"	David Logan.	"
1153.	"	"	Henry Gerke.	"
1154.	"	"	David Logan.	"
1155.	"	"	Jos. Juvenneton.	"
1156.	"	"	John D. Munford.	"
1157.	"	"	John O. Domines.	"
1158.	Dec. 18, '49.	G. Q. Colton, Justice.	John M. Doyle.	Grant on petition.
1159.	Dec. 11, '49.	"	James Findla.	"
1160.	Sept. 15, '48.	T. M. Leavenworth, Alcalde.	"	"
1161.	"	"	"	"
1162.	Sept. 7, '48.	"	"	"
1163.	Nov. 28, '49.	John W. Geary, Alcalde.	Charles B. Loomis.	Town sale.
1164.	"	"	Frederick Ballhaus.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1165.	Nov. 28, '49.	John W. Geary, Alcalde.	Jonah Mordecai.	Town sale.
1166.	"	"	Wm. H. Davis.	"
1167.	"	"	Samuel W. Haight.	"
1168.	"	"	"	"
1169.	"	"	Adolph Markwald.	"
1170.	"	"	John A. Clark.	"
1171.	"	"	Alexander Larzenski.	"
1172.	"	"	David Logan.	"
1173.	"	"	Robert L. Smith.	"
1174.	Nov. 19, '49.	"	William Miles.	"
1175.	"	"	Tallant & Simmons.	"
1176.	"	"	"	"
1177.	"	"	Tallant & Simmons.	"
1178.	Dec. 10, 1849,	"	H. L. Dodge.	"
1179.†	"	"	Thomas Perkins, J.	"
1180.	"	"	John H. Gardiner.	"
1181.	"	"	Henry L. Dodge.	"
1182.†	"	"	David Logan.	"
1183.	"	"	Simon B. Marye.	"
1184.	Nov. 19, 1849.	"	James Bowman.	"
1185.†	"	"	Philo A. Haven.	"
1186.	"	"	"	"
1187.	"	"	"	"
1188.*				

† "Forfeited. John W. Geary, Alcalde."

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1189.	Nov. 19, '49.	John W. Geary, Alcalde.	Charles Wilson & Charles Spalding.	Town Sale.
1190.	"	"	George Treat & Chas. Foster.	"
1191.	"	"	Francis C. Bennett, W. V. Voorhies and Chas. E. Hart.	"
1192.	"	"	Charles E. Hart.	"
1193.	"	"	Wm. McPherson Hill.	"
1194.	"	"	Wm. M. Burgoyne & John V. Plume.	"
1195.	"	"	Hugh O'Donnell.	"
1196.	"	"	F. C. Bennett & W. V. Voorhies.	"
1197.	"	"	Edward Herrick and Sam'l Moss.	"
1198.	"	"	Daniel W. Coit.	"
1199.	"	"	"	"
1200.	"	"	"	"
1201.	"	"	Wm. M. Burgoyne and John V. Plume.	"
1202.	"	"	Wm. McPherson Hill.	Town sale.
1203.	"	"	Jefferson J. Bryant.	"
1204.	"	"	George W. Thompson.	"
1205.	"	"	"	"
1206.	"	"	Kelsey Hazen.	"
1207.	"	"	J. J. Bryant.	"
1208.	"	"	A. A. Green & H. Brotherton.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1209.	Nov. 19, 1849.	John W. Geary, Alcalde.	J. B. West.	Town sale.
1210.	"	"	Philo A. Haven.	"
1211.	"	"	Daniel W. Coit.	"
1212.	"	"	Robt. D. Hart, Stephen Payran and Wm. Agate.	"
1213.	"	"	Richard J. Whiting.	"
1214.	"	"	Geo. Treat & Chas. Foster.	"
1215.	"	"	Joseph L. Reed.	"
1216.	"	"	Wm. McPherson Hill.	"
1217.	"	"	J. B. Bidleman and Frederick J. Thibault.	"
1218.	"	"	Broderick & Kohler.	"
1219.	"	"	Robert L. Smith.	"
1220.	"	"	James D. Gillman.	"
1221.	"	"	Eriend P. Fitts.	"
1222.	"	"	Broderick & Kohler.	"
1223.	"	"	Christopher C. Hyde.	"
1224.	"	"	Samuel Brannan.	"
1225.	"	"	"	"
1226.	Dec. 10, '49.	"	J. Heron Foster.	"
1227.	"	"	"	"
1228.	"	"	John W. Wylie.	"
1229.	"	"	Francis Hoen.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of grant.	Grantor.	Grantee.	Estate, and how conveyed.
1230.	Dec. 10, '49.	John W. Geary, Alcalde.	J. C. Humbut, Jonas S. Humbut and John W. Griffith.	Town Sale.
1231.	"	"	Francis Hoen.	"
1232.	Nov. 19, '49.	"	John H. Gihon.	"
1233.	"	"	John L. Cooper.	"
1234.	"	"	Charles D. Green.	"
1235. †	"	"	H. L. Dodge.	"
1236.	Nov. 28, '49.	"	Augustus Hogg.	"
1237.	"	"	"	"
1238.	"	"	Flavel S. Mines.	"
1239.	"	"	Adolph Markwald.	"
1240.	"	"	Archibald Waddell.	"
1241.	"	"	Charles W. Lanton.	"
1242.	"	"	Samuel W. Haight.	"
1243.	"	"	David Logan.	"
1244.	"	"	Henry W. Lewis.	"
1245.	"	"	Simon B. Marye.	"
1246.	"	"	Patrick Rucket Powers.	"
1247.	Sept. 16, 48.	T. M. Leavenworth, Alcalde.	James Findla.	Grant on Petition.
1248.	"	"	"	"
1249.	"	"	"	"
1250.	"	"	"	"

† "Forfeited. John W. Geary, Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1251.	Sept. 20, '48.	T. M. Leavenworth, Alcalde.	James Findla.	Grant on Petition.
1252.	"	"	"	"
1253.	Sept. 16, '48.	"	"	"
1254.	"	"	"	"
1255.	Nov. 28, '49.	John W. Geary, Alcalde.	Oliver S. Halsted.	Town sale.
1256.	"	"	Samuel W. Haight.	"
1257. †	"	"	Henry L. Dodge.	"
1258.	"	"	Samuel W. Haight.	"
1259.	"	"	Wm. C. Gibbs.	"
1260.	"	"	Broderick & Kohler.	"
1261.	"	"	Samuel W. Haight.	"
1262.	"	"	Wm. H. Davis.	"
1263.	"	"	Christopher C. Webb.	"
1264.	"	"	Adolph Markwald.	"
1265.	"	"	Franklin C. Gray and Grove C. McMickle.	"
1266.	Nov. 19, '49.	"	William Paty.	"
1267.	"	"	Thomas L. Pickering.	"
1268.	"	"	David Logan.	"
1269.	"	"	Thomas Cummings.	"
1270.	Dec. 10, '49.	"	Isaac A. Saxton.	"
1271.	"	"	Tallant & Simmons.	"

† "Forfeited. John W. Geary, Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1272.	Dec. 10, 1819.	John W. Geary, Alcalde.	David Logan.	Town sale.
1273.	"	"	Thomas H. Holt.	"
1274.	"	"	Herman Husband.	"
1275.	"	"	Henry L. Dodge.	"
1276.	Nov. 19, '49.	"	Annis Merrill and John Mc-Vickar.	"
1277.†	"	"	James Bowman.	"
1278.	"	"	John H. Gihon.	"
1279.†	"	"	J. W. Finley, Cad. Ringold, and Edwin Bell.	"
1280.	"	"	John H. Gihon.	"
1281.	"	"	Michael Phelan.	"
1282.	"	"	James W. Green.	"
1283.	"	"	John Haskin.	"
1284.	Nov. 20, '49.	"	Wolf Cohen.	"
1285.	Nov. 19, '49.	"	Wm. McPherson Hill.	"
1286.	"	"	"	"
1287.	"	"	Broderick and Kohler.	"
1288.	"	"	Sam. Brannan.	"
1289.	"	"	"	"
1290.	Dec. 26, '49.	G. Q. Colton, Justice.	J. P. Reynolds.	Grant on Petition.
1291.	Nov. 20, 1849.	John W. Geary, Alcalde.	Philo A. Haven.	Town sale.
† "Forfeited. John W. Geary, Alcalde."				

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1292.	Nov. 19, '49.	John W. Geary, Alcalde.	George Treat and Charles Foster.	Town Sale.
1293.	Nov. 20, '49.	"	J. J. Bryant.	"
1294.	"	"	"	"
1295.	Nov. 19, 1849.	"	"	"
1296.	"	"	John B. Gutierrez.	"
1297.	"	"	"	"
1298.	"	"	Charles V. Hough.	"
1299.	Nov. 20, 1849.	"	Samuel W. Haight.	"
1300.	"	"	Arch. C. Peachy.	"
1301.	Dec. 26, 1849.	G. Q. Colton, Justice.	Daniel Murphy.	Grant on Petition.
1302.	Nov. 20, '49.	John W. Geary, Alcalde.	Arch. C. Peachy.	Town sale.
1303.	"	"	Philo A. Haven.	"
1304.	Dec. 25, '49.	G. Q. Colton, Justice.	Thomas Reynolds.	Grant on Petition.
1305.	Nov. 19, '49.	John W. Geary, Alcalde.	Henry M. Lewis.	Town sale.
1306. †	"	"	J. W. Finley, Cad. Ringold, and Edwin Bell.	"
1307.	Nov. 19, 1849.	John W. Geary, Alcalde.	George W. Thompson.	Town sale.
1308.	Nov. 28, '49.	"	S. C. Simmons.	"
1309.	Nov. 19, 1849.	"	Paul E. Hestris.	"
1310.	"	"	John P. Heim.	"
1311. *	"	"	Augustus Hogg.	"
1312.	"	"	John A. Clark.	"
1313.	"	"	Broderick & Kohler.	"
1314.	"	"		"

† "Forfeited. John W. Geary, Alcalde."

* No grant recorded.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1315.*	Nov. 19, 1849.	John W. Geary, Alcalde.	Ed. F. Northam.	Town Sale.
1316.	"	"	Sam. Brannan.	"
1317.	Dec. 10, '49.	"	George W. Green.	"
1318.	Dec. 10, '49.	"	Valentine Diel.	"
1319.	Dec. 10, '49.	"	John Wilson.	"
1320.	"	"	Francis Hoen.	"
1321.	"	"	"	"
1322.	"	"	"	"
1323.	"	"	Wm. Paty.	"
1324.	Nov. 19, 1849.	"	Adolph Markwald.	"
1325.	"	"	David Logan.	Town sale.
1326.	"	"	Leonard G. McDonald.	Grant on Petition.
"	Dec. 21, '49.	G. Q. Colton, Justice.	Charles D. Carter & Felix Byrne.	Town Sale.
1327.	Nov. 19, 1849.	John W. Geary, Alcalde.	J. J. Bryant.	"
1328.	"	"	Henry L. Dodge.	"
1329.†	"	"	"	"
1330.†	"	"	Robért Jackson.	"
1331.	Nov. 20, '49.	"	Abia A. Selover.	"
1332.	"	"	"	"
1333.	"	"	Bernardino Sanchez.	"
1334.	"	"	"	"
1335.	"	"	Thomas Cummings.	"
1336.	"	"	"	"

† "Forfeited. John W. Geary, Alcalde."

* No grant recorded.

SYNOPSIS OF 50 VARA LOTS Continued.

No. of Lot	Date of Grant	Grantor	Grantee	By, to, and how conveyed
1337.	Nov. 19, '49.	John W. Geary, Alcalde.	Bernardino Sanchez.	Town sale.
1338.	Nov. 28, '49.	"	Henry L. Dodge.	"
1339.	Dec. 10, '49.	No signature.	Alfred Melhado.	"
1340.	"	John W. Geary, Alcalde.	P. Dexter Tiffany.	"
1341.	"	"	"	"
1342.	"	"	"	"
1343.	"	No signature.	Alfred Melhado.	"
1344.	Sept. 20, '48.	T. M. Leavenworth, Alcalde.	James Findla.	Grant on petition.
1345.	"	"	"	"
1346.	Sept. 15, '48.	"	"	"
1347.	"	"	"	"
1348.	Dec. 10, 1849.	John W. Geary, Alcalde.	Alfred Melhado.	Town sale.
1349.*	"	"	"	"
1350.	Nov. 28, '49.	"	David Logan.	"
1351.	Nov. 19, 1849.	"	Joseph W. Finley, Cadwallader Ringold & Edwin Bell.	"
1352.	"	"	Bernardino Sanchez.	"
1353.	"	"	David B. Northrop.	"
1354.	"	"	Ed. O'Donnell.	"
1355.	"	"	Abin A. Selover.	"
1356.	"	"	"	"
1357.	"	"	Finley, Ringold & Bell.	"
1358.	"	"	David Logan.	"
1359.	"	"	James Bowman.	"

* "Forbidden. No deed was ever given by me for this lot --- John W. Geary, Alcalde."

† "Forbidden. John W. Geary, Alcalde."

• No record of any grant of this lot

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1360.	Nov. 19, '49.	John W. Geary, Alcalde.	George Shock.	Town sale.
1361.	"	"	A. G. Abell.	"
1362.	"	"	George W. Thompson.	"
1363.	"	"	David Logan.	"
1364.	"	"	Annis Merrill and John Mc-Vickar.	"
1365.	Dec. 10, '49.	"	Alexander McGee.	"
1366.	"	"	Asa D. Hatch.	"
1367.	"	"	Henry Ganahe.	"
1368.	"	"	David Logan.	"
1369.	"	"	Francis Hoen.	"
1370.	"	"	Talbot H. Green.	"
1371.	Nov. 19, 1849	"	S. Brannan.	"
1372.	"	"	William Paty.	"
1373.*	"	"	Broderick & Kohler.	"
1374.	"	"	J. B. Bidleman & Frederick J. Thibault.	"
1375.	"	"	Adolph Markwald.	"
1376.	Dec. 24, '49.	G. Q. Colton, Justice.	Oliver G. Mason.	Grant on Petition.
1377.	Nov. 19, 1849.	John W. Geary, Alcalde.	Wm. K. Mocre.	Town sale.
1378.	Dec. 21, '49.	G. Q. Colton, Justice.	Thomas A. Leggett.	Grant on Petition.
1379.	Nov. 19, '49.	John W. Geary, Alcalde.	H. L. Dodge & John H. Gihon.	Town sale.
1380.†	"	"	S. Brannan.	"
1381.	"	"		

† "Forfeited. John W. Geary, Alcalde."

* No record of any Grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1382.	Nov. 19, '49.	John W. Geary, Alcalde.	J. Heron Foster & H. L. Dodge.	Town Sale.
1383.	"	"	S. Brannan.	"
1384.	Nov. 20, '49.	"	Wm. Norris.	"
1385.	Nov. 19, '49.	"	J. Heron Foster & H. L. Dodge.	"
1386.	"	"	J. M. White.	"
1387.	"	"	"	"
1388.	Nov. 20, '49.	"	Arch. C. Peachy.	"
1389.	"	"	Daniel W. Coit.	"
1390.	Nov. 19, '49.	"	Charles V. Hough.	"
1391.	"	"	Broderick & Kohler.	"
1392.	"	"	"	"
1393.	"	"	George W. Chesley.	"
1394.	Nov. 20, 1849.	"	Jefferson J. Bryant.	"
1395.	"	"	Daniel W. Coit.	"
1396.	"	"	"	"
1397.	"	"	Richard T. Whiting.	"
1398.	"	"	A. A. Green & Henry Brotherton.	"
1399.	"	"	"	"
1400.*	"	"	"	"
1401.	Nov. 19, '49.	"	Wm. A. Woodruff.	"
1402.	"	"	"	"
1403.*	"	"	"	"
1404.	"	"	Joseph B. West.	"

* No record of any grant of this lot.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1405.	Nov. 19, '49.	John W. Geary, Alcalde.	Thomas O. Larkin.	Town sale.
1406.	"	"	"	"
1407.	"	"	"	"
1408.	"	"	"	"
1409.	"	"	"	"
1410.	"	"	"	"
1411.	"	"	Wm. M. Rogers.	"
1412.	"	"	Edwin L. Childs.	"
1413.	Dec. 10, '49.	"	David Logan.	"
1414.	"	"	Francis Hoen.	"
1415.	"	"	Matthew P. Kingsley.	"
1416.	"	"	Francis Hoen.	"
1417.	"	"	J. Heron Foster.	"
1418.	"	"	Newman Levi & Aaron Elkanen.	"
1419.	Nov. 19, 1849.	"	John Tallant & S. C. Simons.	"
1420.	"	"	"	"
1421.	"	"	Thomas O. Larkin.	"
1422.	"	"	"	"
1423.	"	"	David Logan.	"
1424.	"	"	Eugene L. Sullivan.	"
1425.	"	"	William Paty.	"
1426.	"	"	Alexander G. Abell.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot	Date of Grant	Grantor	Grantee	Estate, and how conveyed.
1427.	Nov. 19, 1849.	John W. Geary, Alcalde.	Abin A. Schlover.	Town Sale.
1428.	"	"	"	"
1429.	"	"	Hugh O'Donnell.	"
1430.	"	"	Henry L. Dodge.	"
1431.	"	"	Bernardino Sanchez.	"
1432.	"	"	Bernardino Sanchez.	"
1433.	Nov. 28, '49.	"	Vincent M. Luce.	"
1434.	Sept. 20, '48.	T. M. Leavenworth, Alcalde.	James Findla.	Grant on Petition.
1435.	Sept. 15, '48.	"	"	"
1436.	"	"	"	"
1437. †	Dec. 10, 1849.	John W. Geary, Alcalde.	Alfred Melhado.	Town sale.
1438.	"	"	P. Dexter Tiffany.	"
1439.	"	"	"	"
1440. *	"	"	"	"
1441.	Dec. 11, '49.	G. Q. Colton, Justice.	John M. Doyle.	Grant on Petition.
1442.	June 26, '48.	T. M. Leavenworth, 2d Al- calde & Acting Chief Mag.	B. R. Buckelew.	"
"	Dec. 19, '49.	G. Q. Colton, Justice.	Richard Myers.	"
"	Dec. 20, '49.	"	Hiram Grimes.	"
1443.	June 26, '48.	T. M. Leavenworth, 2d Al- calde & Acting Chief Mag.	B. R. Buckelew.	"
"	Dec. 19, '49.	G. Q. Colton, Justice.	Alexander Thompson.	"
1444.	June 26, '48.	T. M. Leavenworth, 2d Al- calde & Acting Chief Mag.	B. R. Buckelew.	"

* No grant recorded.

† " No deed was ever given by me for lot No. 1437. John W. Geary, 1st Alcalde."

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1445.	June 26, '48.	T. M. Leavenworth, 2d Alcalde & Acting Chief Mag.	B. R. Buckelew.	Grant on Petition.
1446.	"	"	"	"
1447.	Dec. 20, '49.	G. Q. Colton, Justice.	Ebenezer Fox.	"
"	June 26, '48.	T. M. Leavenworth, 2d Alcalde & Acting Chief Mag.	B. R. Buckelew.	"
1448. †	Dec. —, '49.	G. Q. Colton, Justice.	Drury J. Tallant.	"
"	March 23, '48.	T. M. Leavenworth, 2d Alcalde.	Jacob D. Hoppe.	"
1449.	Dec. 18, '49.	G. Q. Colton, Justice.	John Proctor.	"
"	June 26, '48.	T. M. Leavenworth, 2d Alcalde & Acting Chief Mag.	B. R. Buckelew.	"
1450.	"	"	"	"
"	Dec. 21, '49.	G. Q. Colton, Justice.	Henry K. Warren.	"
1451.	June 26, '48.	T. M. Leavenworth, 2d Alcalde.	B. B. Buckelew.	"
"	Dec. 21, '49.	G. Q. Colton, Justice.	B. F. Voorhies.	"
1452. †	March 23, '48.	T. M. Leavenworth, 2d Alcalde.	Jacob D. Hoppe.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	E. M. Dorr.	"
1453. †	March 23, '48.	T. M. Leavenworth, 2d Alcalde.	Jacob D. Hoppe.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	John E. Armstrong.	"
1454. †	March 23, '48.	T. M. Leavenworth, 2d Alcalde.	Jacob D. Hoppe.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	John Proctor.	"
1455.	Dec. 21, '49.	"	Ulrick Bastrop.	"
1456.	"	"	Gouverneur Tillotson.	"
1457.	July 19, '48.	T. M. Leavenworth, 2d Alcalde.	Joseph N. Nevill.	"

† This is part of a grant bounded by Chesnut, Sansome, Lombard and Montgomery Streets.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor	Grantee.	Estate, and how Conveyed
1457.	Dec. 18, '49.	G. Q. Colton, Justice.	George T. Sullivan.	Grant on Petition.
1458.	March 17, '48.	T. M. Leavenworth, 2d Alcalde.	George Hyde.	"
"	Dec. 21, '49.	G. Q. Colton, Justice.	George B. Hitchcock.	"
1459.	March 17, '48.	T. M. Leavenworth, 2d Alcalde.	George Hyde.	"
"	Dec. 20, '49.	G. Q. Colton, Justice.	Robert W. Armstrong.	"
1460.	March 27, '48.	T. M. Leavenworth, 2d Alcalde.	Benj. R. Buckelew.	"
"	Dec. 19, '49.	G. Q. Colton, Justice.	John Satterlee.	"
1461.	Dec. 21, '49.	"	Henry B. McNeil.	"
1462.	Dec. 18, '49.	"	Joachim Sylveria.	"
1463.	Dec. 18, '49.	"	Elbridge G. Hall.	"
"	July 19, '48.	T. M. Leavenworth, 2d Alcalde.	Joseph N. Nevill.	"
1464.	March 17, '48.	"	George Hyde.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Ralph S. Dorr.	"
1465.	"	"	Wm. Shephard.	"
"	March 17, '48.	T. M. Leavenworth, 2d Alcalde.	George Hyde.	"
1466.	March 27, '48.	"	Benj. R. Buckelew.	"
"	Dec. 19, '49.	G. Q. Colton, Justice.	George W. Vincent.	"
1467.	Dec. 21, '49.	"	George R. Esty.	"
"	July 17, '48.	T. M. Leavenworth, 2d Alcalde.	Mills L. Callender.	"
1468.	"	T. M. Leavenworth, 2d Alcalde.	Mills L. Callender.	"
"	Dec. 21, '49.	G. Q. Colton, Justice.	Edwin W. Colt.	"
"	"	"	T. W. Colburn.	"
1469.	"	"	Wm. S. Whiting.	"
1470.	"	"	J. W. Britton.	"
1471.	"	"		"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1471.	March 23, '48.	T. M. Leavenworth, 2d Alcalde.	B. R. Buckelew.	Grant on Petition.
1472.	"	"	"	"
1473.	Dec. 18, '49.	G. Q. Colton, Justice.	C. L. Wilson.	"
"	"	"	Joachin D. Sylveria.	"
"	Dec. 19, '49.	"	Wm. H. Tiffany.	"
"	March 23, '48.	T. M. Leavenworth, 2d Alcalde.	Jacob D. Hoppe.	"
"	"	"	B. R. Buckelew.	"
1474.	July 17, 1848,	"	Mills L. Callender.	"
"	Dec. 20, '49.	G. Q. Colton, Justice.	Wm. S. Sherwood.	"
1475.	"	"	George H. Farnham.	"
"	July 17, '48.	T. M. Leavenworth, 2d Alcalde.	Mills L. Callender.	"
1476.*	"	"	"	"
1477.	Dec. 19, '49.	G. Q. Colton, Justice.	John F. Nunns.	"
1478.	"	"	Henry F. Taylor.	"
"	March 23, '48.	T. M. Leavenworth, 2d Alcalde.	Benj. R. Buckel�w.	"
"	"	"	"	"
1479.	Dec. 18, '49.	G. Q. Colton, Justice.	John W. Nichols.	"
"	"	"	Julius K. Rose.	"
1480.	Dec. 19, '49.	"	Jacob D. Hoppe.	"
"	March 23, '48.	T. M. Leavenworth, 2d Alcalde.	B. R. Buckelew.	"
"	"	"	W. S. Clark.	"
1481.	Sept. 4, '48.	T. M. Leavenworth, Alcalde.	"	"
1482.	"	"	"	"
"	Dec. 21, '49.	G. Q. Colton, Justice.	D. W. Sheppard.	"
1483.	Sept. 9, '48.	T. M. Leavenworth, Alcalde.	W. S. Clark.	"

† Erased.

* No record of any grant of this lot.

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1484.	Sept. 9, '48.	T. M. Leavenworth, Alcalde.	W. S. Clark.	Grant on petition.
"	Dec. 19, '49.	G. Q. Colton, Justice.	Joseph Jones.	"
1485.	Dec. 18, '49.	"	Oliver B. White.	"
"	March 24, '48.	T. M. Leavenworth, 2d Alcalde.	Jacob D. Hoppe.	"
1486.	June 12, '47.	George Hyde, 1st Alcalde.	Wm. Hood.	"
"	Dec. 19, '49.	G. Q. Colton, Justice.	Charles W. Lanton.	"
1487.	June 12, '47.	George Hyde, 1st Alcalde.	Wm. Hood.	"
1488.	Sept. 9, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Joseph T. White.	"
1489.	Dec. 21, '49.	"	Mesback Howell.	"
"	Sept. 9, '48.	T. M. Leavenworth, Alcalde.	Wm. S. Clark.	"
1490.	March 24, '48.	" 2d Alcalde.	Jacob D. Hoppe.	"
"	Dec. 18, 1849.	G. Q. Colton, Justice.	Alfred Clapp.	"
1491.	Dec. 19, '49.	"	George G. Webster.	"
"	June 12, '47.	George Hyde, 1st Alcalde.	Wm. Hood.	"
1492.	"	"	"	"
1493.	Sept. 8, '48.	T. M. Leavenworth, Alcalde.	Henry Gherke.	"
"	Dec. 20, '49.	G. Q. Colton, Justice.	Wm. F. Nye.	"
1494.	"	"	Hector C. Ames.	"
"	Sept. 8, '48.	T. M. Leavenworth, Alcalde.	Henry Gherke.	"
1495.	June 26, '48.	" 2d Alcalde.	E. P. Jones.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Wm. Ladd.	"
1496.	"	"	"	"
"	June 26, 1848.	T. M. Leavenworth, 2d Ale.	E. P. Jones.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1497.	June 26, 1848.	T. M. Leavenworth, 2d Alcalde.	E. P. Jones.	Grant on Petition.
"	Dec. 18, 1849.	G. Q. Colton, Justice.	John B. Halleck.	"
1498.	"	"	John Johnston.	"
"	Aug. 29, '48.	T. M. Leavenworth, 2d Alc.	E. Murray.	"
1499.	Aug. 29, '48.	"	E. Murray.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	E. M. Dorr.	"
1500.	Aug. 28, '48.	T. M. Leavenworth, 2d Alcalde.	E. Murray.	"
1501.	"	"	"	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	M. D. Corse.	"
1502.	"	"	Sebastian S. Lasala.	"
"	Aug. 28, '48.	T. M. Leavenworth, 2d Alcalde.	E. Murray.	"
1503.	"	"	"	"
1504.	"	"	"	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	E. M. Dorr.	"
1505.	"	"	John Johnston.	"
"	Aug. 28, '48.	T. M. Leavenworth, 2d Alcalde.	E. Murray.	"
1506.	June 24, '48.	"	Wm. C. Parker.	"
"	Dec. 18, 1849.	G. Q. Colton, Justice.	John B. Halleck.	"
1507.	"	"	Wm. Ladd.	"
"	June 24, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. C. Parker.	"
1508.	"	"	"	"
"	Dec. 18, 1849.	G. Q. Colton, Justice.	Wm. Ladd.	"
1509.	"	"	Thomas L. Muzzine.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of grant.	Grantor.	Grantee.	Estate, and how conveyed
1509.	June 25, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. C. Parker.	Grant on Petition.
1510.	"	"	"	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	J. A. Collins.	"
1511.	"	"	P. A. Brinsmade.	"
"	June 25, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. C. Parker.	"
1512.	Aug. 8, '48.	T. M. Leavenworth, Alcalde.	B. R. Buckelew.	"
"	Dec. 18, 1849.	G. Q. Colton, Justice.	Catwallader Ringold.	"
1513.	"	"	Edwin Bell.	"
"	Aug. 8, '48.	T. M. Leavenworth, Alcalde.	B. R. Buckelew.	"
1514.	Aug. 8, '48.	T. M. Leavenworth, Alcalde.	B. R. Buckelew.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Jas. W. Finley.	"
1515.	Aug. 8, '48.	T. M. Leavenworth, Alcalde.	B. R. Buckelew.	"
1516.	Aug. 23, '48.	T. M. Leavenworth, 2d Alcalde.	E. Murray.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	P. H. Perry.	"
1517.	"	"	George S. Upham.	"
"	Aug. 28, '48.	T. M. Leavenworth, 2d Alcalde.	E. Murray.	"
1518.	"	"	"	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Oscar Gonzales.	"
1519.	Aug. 28, '48.	T. M. Leavenworth, 2d Alcalde.	E. Murray.	"
1520.	"	"	"	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	E. M. Dorr.	"
1521.	"	"	John Johnston.	"
"	Aug. 28, '48.	T. M. Leavenworth, 2d Alcalde.	E. Murray.	"
1522.	June 24, '48.	"	Wm. C. Parker.	"

SYNOPSIS OF 50 VARA LOTS—Continued.

No. of Lot.	Date of Grant.	Grantor.	Grantee.	Estate, and how conveyed.
1522.	Dec. 18, '49.	G. Q. Colton, Justice.	John B. Halleck.	Grant on Petition.
1523.	" "	"	Wm. Ladd.	"
"	June 24, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. C. Parker.	"
1524.	" "	"	"	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Wm. Ladd.	"
1525.	" "	"	Thomas L. Muzzine.	"
"	June 25, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. C. Parker.	"
1526.	" "	"	"	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	John A. Collins.	"
1527.	" "	"	P. A. Brinsmade.	"
"	June 25, '48.	T. M. Leavenworth, 2d Alcalde.	Wm. C. Parker.	"
1528.	Aug. 8, '48.	T. M. Leavenworth, Alcalde.	B. R. Buckelew.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Cad. Ringold.	"
1529.	Aug. 8, '48.	T. M. Leavenworth, Alcalde.	B. R. Buckelew.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Edwin Bell.	"
1530.	" "	"	Jas. W. Finley.	"
"	Aug. 8, '48.	T. M. Leavenworth, Alcalde.	B. R. Buckelew.	"
1531.	June 26, '48.	T. M. Leavenworth, 2d Alcalde.	"	"
"	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	John Townsend.	"
"	Dec. 18, '49.	G. Q. Colton, Justice.	Wm. Talbot.	"
1532.	Dec. 19, 1849.	"	W. W. Huse.	"
"	June 26, '48.	T. M. Leavenworth, 2d Alcalde.	B. R. Buckelew.	"
"	Oct. 7, '48.	T. M. Leavenworth, Alcalde.	John Townsend.	"



ERRATA.

Page 5. 11th line from top, for "from," read *form*.

Page 9. 15th line from bottom, for "late," read *later*.

Page 25. 3d line from top, for "is," read *was*.

Page 36. 16th and 17th lines from top, instead of "two books," read *a book entitled Mission Records*.

Page 41. 6th line from bottom, for "Bounded W." read *Bounded N*.

Page 43. 1st line, under the head of "Q'ty of land," for "200 varas," read 50 *varas*.

Page 48, in the heading of Schedule B. for "*indefinitively*," read *indefinitely*.

Page 49. 3d line, under the head of "Size of Lot," erase the words "100 varas."

Page 50. 1st line, grant from Leavenworth, Alcalde, to James Findla, insert (†) referring to note.

Page 61. In the note at the bottom, for "Crossed," read *Erased*.

Page 63. Strike out the asterisk against No. 110, and insert it in next line below, also prefix (*) to the note at bottom "Record erased."

Page 77. Under the head of "Grantor," against Lot No. 16, erase "Guerrero," and insert *Sanchez*.

Page 79. Under the head of "Grantee," against lot No. 44, for "Eusebiso," read *Eusebio*.

Page 83. In the heading, for "No. of Date," read *No. of Lot*. Against Lot No. 136, after "William Hinckley," insert *Alcalde*.

Page 85. Against Lot No. 183, for "Bogerton," read *Boyer-ton*.

Page 86. At bottom, erase "W. A. B."

Page 87. Against Lot No. 213, for "Kybury," read *Kyburg*.

Page 92. In the heading, for "No. of Date," read *No. of Lot*.

Page 93. Against Lot No. 319, for July 13, 1849, read July 13, 1847.

Page 94. After Nos. 346 and 352, insert asterisks; also, at bottom, “* No record of any grant of this lot.”

Page 96. After Nos. 396 and 397, insert asterisks; also, at bottom, “* No record of any grant of this lot.”

Page 97. After Nos. 409 and 410, insert asterisks; also, at bottom, “* No record of any grant of this lot.”

Page 98. In the column of Numbers, under 432, insert (“). Against Nos. 427 and 428 insert asterisks, and at the bottom “* No record of any grant of this lot.”

Page 99. In the heading, instead of No. of Date,” read *No. of Lot*. After No. 454, place an asterisk; also, at bottom add “* No record of any grant of this lot.”

Page 100, after No. 463, place an asterisk, and at bottom add, “* No record of any grant of this lot.”

Page 101. 2d line from bottom, for 1837 read 1847.

Page 104. After Nos. 566 and 567, place asterisks, and at bottom add, “* No record of any grant of this lot.”

Page 105. In the column of Grantors, against No. 576, erase (“), and insert “*George Hyde, 1st Alcalde*.”

Page 108. Under the head of “Date of Grant,” against No. 628, after June, insert 5. 2d line from bottom, for “E. Jones,” read *E. P. Jones*.

Page 112. At bottom of page, erase No. 731.

Page 113. In the heading, for “No. of Date,” read *No. of Lot*. Against No. 734, for “Jan 4, '40,” read Jan. 4, '50.

Page 121. In the column of Grantees, against No. 897, for “Faudlan,” read *Fandlan*.

Page 128. In the column of Grantees, against No. 1039, for “Regnolds,” read *Reynolds*.

Page 129. In the column of Grantees, against No. 1065, for “Pardee,” read *Purdee*.

Page 141. Under the head of “Date of Grant,” against No. 1332, strike out (“) and insert *Nov. 19, 1849*.

Page 142. After No. 1343, insert (†).





